AN EXACT Abridgment OF ALL STATUTES In *Force* and *Use*.

From the beginning of

MAGNA CHARTA,

Untill 1641.

By *EDM. WINGATE* of *Grayes-Inne*, Esq:

With a Continuation, under their proper Titles, of all ACTS in Force and Use, untill the Year, 1679. And Alphabetically. Digested under apt Titles.

Whereto is annexed Four TABLES, directing to the several Matters and Clauses throughout the said Statutes.

Printed by John Streater, James Flesher, and Henry Twyford, Assigns of R. Atkins, and E. Atkins, Esqs.

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Cum Gratia & Privilegio Regiæ Majestatis.

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OCT 5 1908

TO THE HONOURABLE Sir EDWARD TURNER Kt, SPEAKER of the COMMONS House of PARLIAMENT.

SIR,

HAving observed so many Learned and worthy Persons, upon divers occasions, both in their Studies and Imployments, especially at the Assizes *and* Sessions *of* Peace, *to make use of* Mr. Wingat's *Abridgment of the Statutes with good Approbation, I could not but think a little Pains might be well bestowed, in continuing the same Method, and adding to it the Statutes made in the time of His present Majesty, and inserting the same, especially such as are of publick and*

and daily uſe, under their proper Titles; *and ſeeing how eminent a Place and Part You have had in the Paſſing the ſame, it ſeemed to Me not improper, by this* Addreſs *under Your Name, to advertiſe ſuch others alſo, as may have occaſion to make uſe of this Book; That although for the moſt part You may find the Statutes, at the leaſt thoſe of frequent uſe, ſo fully abridged, that I hope You will not have often occaſion, to trouble Your Self with the* Books *at large, or to ſeek for ſuch as be diſperſed: Yet being but an* Abridgment, *continued of the late* Acts, *as of the other, when You ſhall doubt or find any thing obſcure, the unavoidable accident of* Brevity, *You would not rely on it, but have recourſe to the Statutes at large; ſome of which, to avoid the increaſing of the* Book *to too great a bulk, eſpecially ſuch as be but upon continuance, I have onely pointed at and referred to: And ſuch* Statutes *as more particularly concern the Juſtices of the Peace, and Penal Laws, are marked with a Hand or Star.*

And

And for the Table *being Mr.* Wingat's *own, I was unwilling to alter the Frame, but rather supply it with the Additional Heads and* Titles; *which though at first, it may seem somwhat general, yet by diligent observation, the Method and References, to particular Clauses under the several Heads, I hope it will answer the use and ease to the Peruser intended: Which is the Aim and Desire of,*

SIR,

Your very affectionate

Friend and Servant,

T. M.

AN

Exact TABLE to the Abridgment of Statutes in force, comprehending not only the Title, but Subſtance thereof, and the year of the King in whoſe Reign it was made, and Chapter of each Statute, throughout the ſeveral Kings Reigns, concerning the ſame Subject.

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AN EXACT ABRIDGMENT OF ALL STATUTES

In *Force* and *Uſe* untill the Second of *March* in the 17th Year of King *Charles* II. *An. Do.* 1664.

Ability, and Non-ability.

I. Stat. *Articuli Cleri, Cap.* 13. *Anno* 9 E 2. The examination of a perſon preſented to a Benefice belongeth to the *Eccleſiaſtical* Judge.

II. Stat. 25 E. 3. Stat. 2. *De natis ultra mare.* The King's children are inheritable in *England*, whereſoever born.

III. Subjects children (born beyond Sea) are alſo inheritable, ſo that their parents at the time of their birth were within the King's Allegiance, and that the mother went beyond ſea with her husband's conſent.

IV. If Baſtardy be alledged againſt any born beyond Sea, the Certificate ſhall be made by the Biſhop of the place where the land demanded lieth.

V. Stat. 42 E 3. 10. Children born beyond Sea in the King's Dominions ſhall be inheritable in *England.*

VI. Stat. 31 H. 8. 6. Religious perſons profeſſed in Corporations erected by the King ſhall be enabled to inherit, purchaſe, uſe and to

be ſued, and alſo to have and enjoy any matter or thing which ſhall accrue unto them ſince that their deraignment, but ſhall not ſue for any former right deſcended upon them.

VII. Religious perſons being Prieſts, or that have vowed Religion at 21. years of age, ſhall not marry.

VIII. Stat. 33 *H.* 8. 29: Religious perſons profeſſed in Corporations, tranſlated from one kind to another, ſhall be enabled to inherit, purchaſe, ſue, and be ſued, *&c.* as well as in thoſe ſeiſed by the King.

IX. Stat. 5. 6. *E.* 6. 13. Religious perſons ſhall be adjudged inheritable to their Anceſtors onely from the time of their deraignment, but not by reaſon of any former right accrued before ſuch deraigment.

X. Stat. 16. 17. *Car.* 17. An Act for diſabling all perſons in holy Orders to exerciſe any temporal juriſdiction or authority. Repealed. 13 *Car.* 2. *ca.* 2.

Accounts.

I. Stat. *Marlebridge, Cap.* 23. 52 *H.* 3. Bailiffs of Lords who withdraw themſelves from accounting, and have not whereof to be diſtrained, ſhall be attached by the Sheriff, and made to account.

II. Stat. *Weſt.* 2. *Cap.* 11. 13 *E.* 1. Servants, Bailiffs, or other Accountants, that are found in arrerages by Auditors aſſigned by their Maſters, upon the teſtimony of the ſame Auditors ſhall be committed to the next Goal, and there remain in iron under ſafe cuſtody at their own coſts, until they ſhall have ſatisfied their Maſters.

III. Here, if the Accountant finde himſelf aggrieved by the Auditors, he may appeal to the Barons of the Exchequer, and then the Sheriff ſhall give notice to his Maſter to attend the Barons at a certain day with the Account, where the Barons, or Auditors by them aſſigned, ſhall rehearſe the Account, and doe juſtice therein. But if then alſo the Accountant ſhall be found in arrear, he ſhall be committed to the Fleet.

IV. If he flie, or will not account, a *Diſtringas* ſhall iſſue out againſt him, to cauſe him to appear before the Juſtices to account, and upon appearance, Auditors ſhall be aſſigned him, by whom if he be found in arrear, and not able to pay, he ſhall be committed to the Goal, as aforeſaid. But if he flie and the Sheriff return thereupon *Non eſt inventus*, after *exigent*, he ſhall be outlawed, and then being taken, he ſhall not be repleviable without the Maſter's conſent, if

pain that the Sheriff, Gaoler, or. &c. who doth ſo bail him (being thereupon convict) ſhall anſwer the Maſter his damages; and if an inferiour Officer, who ſo doth, be not reſponſible, *Reſpondeat ſuperior.*

* V. **Stat.** 6 *H.* 4. 3. Immediately after the Sheriffs, Eſcheators, Aulnegers, Cuſtomers, Controllers, and other the King's Officers, ſhall have accounted in the Exchequer, Commiſſions ſhall be ſent down to enquire of their Accounts; and if fraud ſhall be found therein, they ſhall incur the penalty of treble damages to the King, and ſhall ſuffer impriſonment, not to be enlarged until they have made Fine at the diſcretion of the Judges.

VI. **Stat.** 1 *R.* 3. 14. Accountants for diſmes (granted by the Clergy of the Provinces of *Canterbury* or *York*) are not chargeable to anſwer other mens ſuits in the Exchequer, (by reaſon of their appearance there to account) ſave only for ſuch things as concern their Account: howbeit they may be ſued in any other Court, notwithſtanding ſuch priviledge of being Accountants.

VII. **Stat.** 13. *Car.* 2. *ca.* 3. All moneys, goods, Plate, Jewels, Horſes, Arms, Ammunition, and other things whatſoever, levied or taken ſince the 30th. of *January* 1642. by any perſons, by colour of any late pretended Authority, and all Bonds and Securities for the ſame not pardoned by the Act of Oblivion, are declared to be veſted in the King, his Heirs and Succeſſors, who may demand, ſue for, and have the ſame.

VIII. All perſons, their heirs, executors, &c. who have received any ſuch money for publick uſes, and particularly the Revenues of Churches in *Wales*, or County of *Monmouth*, ſince 1648. ſhall be accountable for the ſame: and his Majeſty, his Heirs, &c. may iſſue forth Commiſſions under the great Seal, or Seal of the Exchequer, for diſcovering and levying the ſame: and all perſons accountable to his Majeſty, ſhall have power to levy or ſue for arrears in the hands of others.

IX. None ſhall be liable as aforeſaid, unleſs they be called to account by information in the Exchequer, or other courts appointed before the 24 of *June* 1662. and proſecuted with effect within 12 months after the exhibiting thereof.

X. **Stat.** 14 *Car.* 2. *ca.* 14. All Collectors, Treaſurers, Receivers, Officers of Ships, Mariners, and other perſons whatſoever, that have received or had any Prizes, Ships, Plate, Bullion, Arms, Merchandiſes, or any manner of goods taken for prize ſince the 30 of *January* 1642. (and have not accounted for them) and all ſuch as have bought the ſame, and not paid the money for them, ſhall

be chargeable to his Majesty, and sued and called to account for the same in the Court of Admiralty, and sentenced and execution there accordingly. All rights (during the Reign of the late King or his Majesty) belonging to the Lord Admiral or Lord Ward. of the Cinque-Ports, usurped or seised since 1648. by any persons or body politick, and not pardoned, shall be accompted for to his Highness *James* Duke of *York*, Lord Admiral, and sued for in the Court of Admiralty.

Provided in cases of defect of Jurisdiction in the Admiralty Court, the Court of Exchequer, upon Certificate from the Court of Admiralty, may proceed for recovery and levying the said prizes and goods.

XI. **Stat.** 13 *Car.* 2. *ca.* 13. All money from any persons due upon the Imposition, called Excise, upon Ale, Beer, or other Commodities, heretofore by any Law or pretended Ordinances, and all debts owing by obligation or account from Farmers of Excise, or others, and all securities for the same not pardoned, are vested in the King and his Heirs, and may be sued for and recovered against the persons, their heirs, executors, &c. having Assets, according to the Stat. of 33 *H.* 8.

Provided, All persons accountable upon this Act have such allowances, as persons whose Accounts are excepted in the Act of General Pardon and Oblivion ought to have; and no person to be questioned unless he be sued before the 25 *Decemb.* 1662.

XII. All persons accountable by this Act, may levy and sue for Arrears against all such persons as stand indebted unto them for any Impost or Excise as they might have received and levied the same when they first grew due. *See* Stat. 14 Car. 2. ca. 18. *for speedy bringing to Account persons not excepted in the Act of General Pardon.*

Accusations.

I. **Magna Charta.** 29. 9 *H.* 3. No free-man shall be taken, imprisoned, disseised, outlawed, exiled, or otherwayes destroyed or condemned, without tryal by his Peers or the Law: Justice or right shall not be sold, denyed, or deferred to any.

II. **Stat.** 5 *E.* 3. 9. None shall be attached upon any accusation, nor fore-judged of life or limb, nor his Lands or Tenements, Goods or Chattels seised into the King's hands, against the form of the great Charter, and the Law of the Land.

III. **Stat.** 25 *E.* 3. 4, *Stat.* 5. None shall be apprehended upon Peyne

Petition ſuggeſtion made to the King or his Council, unleſs by indictment or preſentment of lawful men, or by proceſs at the Common Law.

IV. None ſhall be outed of his Franchiſes or Free-hold, but by way of Law; and if any thing be done againſt the ſame, it ſhall be redreſſed, and holden for none.

V. Stat. 28 *E.* 3. 3. None ſhall be put from his Land or Tenement, impriſoned, diſinherited, or put to death, without being brought in to anſwer by due proceſs of Law.

* VI. Stat. 37 *E.* 3. 18. Promoters of ſuggeſtions to the King ſhall finde ſurety before the Chancellor, Treaſurer, and the King's Great Council, to purſue their ſuggeſtions, and to incur the pain which the accuſed ſhould ſuffer, in caſe the ſuggeſtion hold not: And then proceſs ſhall iſſue out againſt the accuſed, without being taken or impriſoned againſt the form of the great Charter.

* VII. Stat. 38 *E.* 3. 9. If the promoter of a ſuggeſtion cannot make it good, he ſhall be impriſoned, until he ſatisfie the party grieved his Damages, and ſhall alſo make fine to the King.

VIII. The clauſe of the 37 *E.* 3. 18. for incurring the like pain, ſhall be taken away.

IX. Stat. 42 *E.* 3. 3. None ſhall be put to anſwer an accuſation to the King without preſentment, or ſome matter of Record; and what is done otherwiſe ſhall be void, and holden for errour.

X. Stat. 17 *R.* 2. 6. Upon an untrue ſuggeſtion made againſt any in the Chancery, the Chancellor may award damages.

XI. Stat. 15 *H.* 6. 4. None ſhall ſue forth a *Subpœna*, until he finde ſurety to ſatisfie the Defendant his damages and coſts, in caſe he do not verifie his Bill.

Actions popular.

☞ I. Stat. 4 *H.* 7. *ca.* 28. Recovery in an Action popular by Covin, ſhall be no bar in an Action ſued for the ſame thing *bonâ fide*.

II. Here the Defendant attainted of Colluſion ſhall ſuffer two years impriſonment, to be proſecuted within one year.

III. No releaſe of a common perſon ſhall in this caſe diſcharge an Action popular.

IV. Yet no Colluſion is in this caſe averrable, where the point of the ſame Action or the Colluſion it ſelf hath been tried by Verdict.

☞ V. Stat. 31 *El.* 5. Informers heretofore reſtrained by

order of any Court ſhall not purſue Actions popular.

VI. In popular actions the offence ſhall be laid to be done in the County where indeed it was done, otherwiſe, if the Defendant traverſe and diſprove that point, the Plaintiff ſhall be barred.

VII. This Act doth not reſtrain Officers which have lawfully uſed to exhibit informations, nor Actions brought for champerty, buying of Titles, extortion, offences againſt the *Statute* of 1 *El.* 11. (concerning the right landing of Merchandiſe and cuſtom of ſweet wines) concealing of cuſtoms, *&c.* corrupt uſury, foreſtalling, regrating or ingroſſing, when the penalty ſhall amount to 20 *l.* or above: For in all theſe caſes the offence may be laid in any County.

* VIII. Popular Actions, where the King only hath the forfeiture, ſhall be commenced within two years; where he hath only a part, and the Informer the reſt, within one year: but this is to be underſtood, where a ſhorter time is not limited by any Statute.

* IX. All ſuits for uſing unlawful Games, or any Art or Myſtery without being brought up in it, and for not having Bows and Arrows according to the Statute, ſhall be proſecuted at the Aſſiſes or Seſſions of the County, or at the Leet, within which the offence was committed, and not elſewhere.

☞ * X. **Stat.** 21 *Jac.* 4. Actions popular, which may be preſented before Juſtices of Aſſiſe, *Niſi prius*, G. D. *Oyer* and *Terminer*, or of P. ſhall be proſecuted only in the Counties where the offences were committed, except for Recuſancy, Maintenance, Champerty, buying of Titles, concealing of cuſtoms, *&c.* or tranſporting of gold, ſilver, munition, wool, woolfels, or leather.

XI. Upon default of proving that the offence was committed in the ſame County, the Defendant ſhall be found not guilty.

XII. The Informer ſhall make oath that the offence was committed in the ſame County where the Action is laid, and within one year before the ſuit commenced.

* XIII. The Defendant in a popular Action may plead the general iſſue, and yet give ſpecial matter in evidence.

Addition.

I. **Stat.** 1 *H.* 5. 5. In Original Writs, where *Exigent* ſhall be awarded, Additions of the Defendants condition and dwelling ſhall be inſerted.

II. Outlawries otherwiſe proſecuted, ſhall be void.

III. Surpluſage of Additions ſhall not prejudice, albeit the Writ

do

ſo therein vary from the Records and Deeds.

IV. The Clerks of the Chancery ſhall not omit ſuch Additions, in pain to be fined at the diſcretion of the Chancellor.

Adjournment.

I. Stat. 2 E. 3. 11. The Common Bench ſhall not be removed without warning by adjournment.

Admeaſurement of Dower.

I. Stat. *Weſt.* 2. *cap.* 7. 13 E. 1. A Guardian ſhall have a Writ of Admeaſurement of Dower, yet the heir (at full age) ſhall not be barred by that ſuit, in caſe it be proſecuted by Colluſion.

II. When it comes to the great diſtreſs, dajes ſhall be given, within which two Counties may be holden, where Proclamation ſhall be made for the defendant to come in at the day contained in the Writ, at which if the Defendant appear, the plea ſhall proceed; but if not, upon the Proclamation returned by the Sheriff, and the Defendant's default, Admeaſurement ſhall be made.

Admeaſurement of Paſture.

I. Weſt. 2. *cap.* 8. 13 E. 1. Upon a ſecond overcharge of Paſture, if the Paſture were admeaſured before the Juſtices, the remedy ſhall be by Writ judicial, returnable before the Juſtices under the ſeals of the Sheriff and Jurors: and then the Juſtices ſhall award damages to the Plaintiff, and ſhall eſtreat into the Exchequer the value of the beaſts (wherewith the paſture was ſo overcharged) to be anſwered to the King.

II. If the admeaſurement were made in the County, the Sheriff by a Chancery-writ ſhall enquire of the Surcharge, and value of the beaſts, and ſhall anſwer the ſame to the King in the Exchequer.

III. To prevent fraud in the Sheriff, all ſuch Writs de *ſecunda ſuperoneratione* ſhall be enrolled, and alſo at the years end tranſcribed in the Exchequer; and ſo likewiſe ſhall Writs of *Redditeiſin*.

Adminiſtrators.

I. Stat. 31 E. 3. 11. The Ordinaries ſhall depute the next,

and moſt lawful friends of the Inteſtate to adminiſter his goods, which deputies ſhall have the benefit, and incurr the charge of an Executor, and ſhall alſo be accountable to the Ordinaries as Executors.

II. Stat. 21 H. 8. ca. 5. Adminiſtration of Inteſtates goods ſhall be granted to the Widow, or next of kin to the Inteſtate, or both, as the Ordinary ſhall think fit.

* *See what Fees onely ought to be paid for Probate of Wills, and obtaining Adminiſtrations, and upon what penalties upon exaction, poſt, Title* Probate of Teſtaments.

Admiralty.

I. Stat. 13 R. 2. 5. The Admirals or their Deputies ſhall not meddle with any thing done within the Realm, but onely upon the Sea.

II. Stat. 15 R. 2. 3. The Admiral's Court ſhall not have Cogniſance of any thing done within the bodies of Counties, as well by land as by water, nor with wrecks of the Sea.

III. Of the death of a man and of a maihem done in great ſhips hovering in the main ſtream of great Rivers (beneath the bridges near the Sea) the Admiral ſhall have Cogniſance, and likewiſe to arreſt ſhips in great Fleets, for the great voiages of the King and Kingdom; and ſhall alſo have juriſdiction in ſuch Fleets during ſuch voiages: Saving to the King his forfeitures, and to Lords, Cities and Boroughs their liberties and Franchiſes.

IV. Stat. 2 H. 6. 11. The Statute of 13 R. 2. 5. is confirmed.

V. The party grieved by the *non-obſervance* of that Statute, ſhall (by Action upon his Caſe) recover double damages againſt the Proſecutor in the Admiralty; and the Proſecutor ſhall alſo forfeit ten pounds to the King, being thereof attainted.

VI. Stat. 8 El. 5. A ſentence definitive in a civil and Marine cauſe by delegates appointed by Commiſſion (upon an appeal duly made in the Chancery) ſhall be final.

Advouſon.

I. weſt. 2. cap. 6. 13 E. 1. Uſurpation of Churches during Wardſhip, particular eſtates, Coverture, or Vacancy, ſhall not bar the heir at full age, the reverſioner or remainder in poſſeſſion, the ſame diſcovert, or the ſpiritual perſon in ſucceſſion, from having

the Writ of Advouſon poſſeſſory, *viz. Quare impedit*, or an Aſſiſe of *Darreine preſentment*, as their anceſtor or Predeceſſor might have had, if the Uſurpation had happened in their time; whereas before this Act they were (in ſuch caſes) put to their Writ of right of Advouſon.

II. Howbeit this Act ſhall not extend to annul judgments already given, but they ſhall be reverſed by Error or Attraint.

III. One and the ſame form of pleading ſhall be uſed in *Darreine preſentment*, and *Quare impedit*; *viz.* if the Defendant alledgeth plenarty of his own preſentation, the plea ſhall not ſtay by reaſon of the plenarty, ſo as the Writ be purchaſed within the ſix moneths, albeit he cannot recover within that time.

IV. Where partition is made upon record or by fine to preſent by turn, the Coparcener that is diſturbed ſhall not be put to a *Quare impedit*, but may have remedy upon the Roll or fine by *Scire facias*.

V. When ſix moneths paſs hanging a *Quare impedit* or *Darreine preſentment*, ſo that the Biſhop preſents by Lapſe, the Patron ſhall recover damages to two years value of the Church; otherwiſe damages onely to half a years value.

VI. The diſturber not being able to render damages, ſhall in the firſt caſe have impriſonment of two years; and in the other of half a year.

VII. Writs alſo ſhall hereafter be granted for Chappels, Prebends, Vicarages, Hoſpitals, Abbeys, Priories, and other Houſes, which be of the Advouſons of other men.

VII. When the Parſon of a Church is diſturbed to demand Tithes in the next Pariſh by *Indicavit*, the Patron ſhall have a Writ to demand the Advouſon of thoſe Tithes, and when it is deraigned, then ſhall the Plea paſs in the Court Chriſtian.

IX. Amongſt Coparceners, if one preſent twice together, yet ſhall not the other be barred, but have his or her turn when it falleth.

X. **Vide. Reg.** *cap.* 8. 17 *E.* 2. Lapſe of ſix moneths ſhall not prejudice the King's Preſentation to a Church.

XI. **Stat. de Clero**, *cap.* 3. 23 *E.* 3. When the King collates to the Church in anothers right, his Title ſhall be well examined, and the Patron grieved ſhall have as many Writs thereupon as ſhall be needful.

XII. **Stat. de Clero** *cap.* 7. 23 *E.* 3. When the Ordinary preſents by Lapſe, and the King takes the ſuit againſt the Patron, who in deceit ſuffers the King to recover; in this caſe, when the King's

right

right is not tried, the Ordinary or Incumbent may counterplea the King's Title.

Age.

I. Weſt. 1. *cap.* 46. 3 *E.* 1. If a Writ of *Novel diſſeiſin* be purchaſed, and the Diſſeiſor die before the Aſſiſe be paſſed, the Plaintiff ſhall have a Writ of Entry *ſur diſſeiſin* againſt his heir. The like Writ ſhall the heir of the diſſeiſee have, in caſe he die, *&c.*

II. And here Nonage of the heir of the diſſeiſor or diſſeiſee ſhall not prejudice in Aſſiſe.

III. If the inqueſt paſs againſt the heir of the diſſeiſee, he ſhall have an Attaint *gratis.*

IV. Stat. of Glouceſter. *Cap.* 2. 6. *E.* 1. where an Infant is held from his inheritance, whereby he is driven to his Writ, the Inqueſt ſhall paſs, notwithſtanding his Nonage.

V. An Expoſition of the Statute of Glouceſter, *Cap.* 2. 6 *E.* 1. Touching an Inqueſt to be made for an Infant, that Statute ſhall run without limitation of time.

VI. Stat. Weſt. 2. *cap.* 40. 13 *E.* 1. The ſuit of a woman or her heir after the death of her husband ſhall not be delayed by the Minority of the heir, who ought to warrant the Land.

Aid of the King.

I. Stat. de Bigamis, *Cap.* 1. 4 *E.* 1. Where a feoffment with a Chatter thereupon being made by the King hath ſo much in it, that another perſon by a like feoffment, and like Deed, ſhould be bound to warranty, the heir ſhall have Aid, and the Juſtices ſhall not proceed without the King's Commandment.

II. Ibidem, *Cap.* 2. But where the King onely confirmeth or ratifieth anothers Act in another mans thing, or granteth any thing to a man as much as in him is, or where a Deed is ſhewed, whereby the King hath rendered any Tenement, and no clauſe of warranty is contained therein: In theſe and like caſes (the ſame being ſhewed to the King) the Juſtices may proceed, and the Tenant ſhall not have aid.

III. Ibidem. *Cap.* 3. In Dower, the King's Grantee of a Ward ſhall not have Aid, but the Juſtices may proceed according to right.

IV. Stat. 14 *E.* 3. 14. Stat. 1. Upon demand of Lands in the King's hands, after four Writs of ſearch directed to the Treaſu-

rer

ſer and Chamberlains of the Exchequer, for finding the King's Minuments, he that defends the lands for the King ſhall be put to anſwer, ſo that the ſaid Writs were delivered 40 dayes before their return, and then Juſtice ſhall not be delayed, albeit the contrary be commanded under the Great or Privie Seal.

*Alehouſes, Drunkenneſs.

I. **Stat. 5 and 6 E. 6. 25.** None ſhall keep Alehouſe without Licence granted either in Seſſ. or by two Juſtices, (1 *Quo.*) in pain of three dayes impriſonment without bail, and not to be enlarged without Recogniſance by himſelf and two ſureties, that he ſhall not keep Alehouſe any longer; the Certificate of which Recogniſance and offence ſhall be a ſufficient conviction at the Qu. Seſſ. to fine him 20 *ſh.*

☞ II. The Qu. Seſſ. or two ſuch Juſtices have power to put down Alehouſes at their diſcretion, and to take Bond and Surety of Alehouſe-keepers by recogniſance, that they ſhall not uſe unlawful Games, or other diſorder in their houſes, for which Recogniſance the parties bound ſhall pay 12 pence, and whereof Certificate ſhall be made at the next Qu. Seſſ. by the two Juſtices that take it, in pain of 5 Marks.

III. Juſtices of peace have power to inquire after the breach of this laſt Recogniſance, to award proceſs thereupon, and to hear and determine the ſame at their diſcretions.

IV. This Act ſhall not reſtrain the ſelling of Ale and Beer in Towns where Fairs are kept, during the time of the Fair.

V. **Stat. 1 *Jac.* 9.** No Inn-keeper, Victualler, or Alehouſe-keeper, ſhall ſuffer any Town-dwellers to ſit tippling in his houſe, in pain of ten ſhillings; nor ſell leſs than a full Ale-quart of the beſt Ale or Beer, or two quarts of the ſmall, for one penny, in pain of 20 ſhillings: And here, the view of one Juſtice, or proof by two witneſſes upon oath, before one Juſtice, is ſufficient conviction.

VI. The penalties aforeſaid are given to the poor of the Pariſh where the offence is committed, and are to be levied by the Conſtable and Churchwardens by diſtreſs, which after ſix dayes may be ſold to ſatisfie the penalty: and in default of diſtreſs, the party delinquent muſt ſuffer impriſonment, till he pay the penalty.

VII. Here every Officer that neglects to levy the ſaid penalties, or certifie (within twenty dayes) the default of diſtreſs, ſhall forfeit likewiſe to the poor forty ſhillings, to be levied (upon Warrants from one Juſtice) by diſtreſs and ſale, as aforeſaid; and upon

upon default of diſtreſs, ſhall incur commitment as aforeſaid.

VIII. The Officers, or other parties receiving thoſe penalties, ſhall be accountable to the ſucceeding Officers and other Pariſhioners.

IX. Stat. 4 *Jac.* 4. None ſhall ſell Ale or Beer to an unlicenſed Ale-houſe-keeper, ſave only for the expence of his houſhold, in pain of 6 *s.* 8 *d.* for every barrel; and ſo more or leſs according to that proportion.

X. This offence ſhall be proſecuted in the Quarter Seſſions, and the forfeiture ſhall be equally divided between the proſecutor and the poor of the Pariſh.

XI. The Officer that ſhall levy the poors moiety ſhall deliver it to the Church-wardens and Overſeers of the Pariſh, or one of them, and they ſhall in convenient time make diſtribution thereof to the poor, in pain that both the Officer and they ſhall forfeit reſpectively double the value of that moiety, to be recovered and employed as aforeſaid.

XII. Stat. 4 *Jac.* 5. One convicted of drunkenneſs in Court, or before a Judge or Juſtices in their ſeveral limits, ſhall forfeit five ſhillings to the poor, to be levyed and employed as the penalties of 1 *Jac.* 9. and in caſe he be not able to pay it, ſhall remain in the ſtocks ſix hours.

XIII. Here the Officer that neglects to levy the ſaid penalty ſhall forfeit ten ſhillings to be levyed and employed as aforeſaid.

XIV. A Town-dweller which is convict to ſit tipling in any Inn, Victualling-houſe, or Ale-houſe, by the view of one Juſtice, or the proof of two witneſſes, ſhall forfeit ten groats, to be levied and employed as aforeſaid, and being not found able to pay it, ſhall remain in the ſtocks four hours.

XV. Theſe offences, as alſo thoſe mentioned in 1 *Jac.* 9. ſhall be enquired of, heard and determined, at the Aſſ. Qu. Seſſ. in corporate Towns and in Leets.

XVI. One convicted the ſecond time of drunkenneſs, ſhall be bound in ten pounds with two ſureties to the good behaviour.

XVII. All Conſtables, Church-wardens, Headboroughs, Tithing-men, Ale-conners, and Side-men, ſhall be charged on their Oath to preſent the ſaid offences.

XVIII. This Act ſhall not reſtrain Eccleſiaſtical juriſdiction nor the two Univerſities.

XIX. None ſhall be twice puniſhed for one offence.

XX. The offenders againſt this Act ſhall be proſecuted within ſix months.

XXI.

XXI. Stat. 21 *Jac.* 10. An Alehouſe-keeper lawfully convicted for any of the offences forbidden by the Statutes of 1 *Jac.* 9. or 4 *Jac.* 5. ſhall be diſabled to keep Alehouſe within three years after.

☞ XXII. Stat. 21 *Jac.* 7. One witneſs, or the parties own confeſſion, ſhall be ſufficient to prove the breach of 1 *Jac.* 9. and 4 *Jac.* 5. and the oath of the party confeſſing ſhall be ſufficient to convince any other.

XXIII. The like view, proof, or confeſſion, ſhall convince a drunkard, as well for the penalty of 5 s. as for the binding of him to the good behaviour, according to 4 *Jac.* 5.

XXIV. An Alehouſe-keeper offending againſt 1 *Jac.* 9. or 4 *Jac.* 5. according to the alterations of this Act, is diſabled to keep Alehouſe within three years after.

XXV. All Conſtables, Church-wardens, Headboroughs, Tithingmen, Ale-conners, and Side-men, ſhall be charged on their oaths, to preſent the offences committed againſt 1 *Jac.* 9. and 4 *Jac.* 5. according to the Alterations of this Act.

XXVI. Stat. 1 *Car.* 4. The Inn-keeper, Alehouſe-keeper, or Victualler, which ſuffers any perſon whatſoever to ſit tipling in his houſe, ſhall incurr the penalty of 1 *Jac.* 9. to be proved, levied, and employed, as in that Statute is appointed.

XXVII. Vintners, which do alſo keep Inns or Victualling-houſes, ſhall be taken to be within this Act; as alſo within the Statute of 1 *Jac.* 9. and 4 *Jac.* 5.

☞ XXVIII. Stat. 3 *Car.* 3. None ſhall keep Alehouſe without licenſe, in pain to forfeit 20 s. to the poor, which the Conſtable and Churchwarden, (upon warrant from the Juſtice before whom the offence is proved) ſhall levy by diſtreſs, which (within three daies) may be ſold to ſatisfie the penalty; and in caſe the delinquent hath not wherewithall, the ſaid Juſtice ſhall commit him to the Conſtable, to be openly whipped: And here the view of one Juſtice, the confeſſion of the party, or proof by two witneſſes, is ſufficient conviction.

XXIX. Here the Officer that neglects to execute the Warrant, or to puniſh the offender, ſhall ſuffer impriſonment without bail, or pay 40 ſhillings, to be employed as aforeſaid.

XXX. In this caſe, if the Alehouſe-keeper offend the ſecond time, he ſhall be committed to the Houſe of Correction for one moneth; and for the third offence, ſhall not be thence enlarged but by order of Seſſions.

XXXI. The offender once puniſhed by this Act, ſhall not be

be again punished by 5, and 6 *E.* 6. 25. *& contra.*

XXXII. This Act shall not restrain the selling of Ale and Beer in Fairs.

Alienation without Licence.

I. *Prerogat. Regis, cap.* 6. 17 *E.* 2. None holding of the King in chief by Knight-service may (without his Licence) alien so much of his Land, that the residue will not suffice to do his service: but this is not meant of little parcels thereof.

Note, that clause is in Rast. fo. 7. c. *But I find it not in th' 4 Stat. at large, nor in* Stanford. *'Tis in* Polton, *cap.* 6.

II. When Serjeanties are alienedwithout the King's Licence, the King hath used to rate them at a reasonable extent.

III. **Stat.** 1 *Car.* 3. All Licences of Alienations (other then upon raising of uses by force of any Deed from or out of the Estate of the Covenantor) shall be general to alien, without expressing any uses.

IV. The Officer that takes above 26 s. 8. d. for drawing, pleading, entring, finishing, and discharging a Licence or Pardon of Alienation, shall forfeit to the party grieved for every penny so taken 5 s. to be recovered by information or action of debt, and shall be for ever after disabled to bear Office in any Court of Justice.

Aliens.

I. **Stat.** 31 *H.* 6. 4. If any stranger (being in league, or having the King's safe conduct) be attached in his person, or robbed of his ship or goods, by any of the Kings Subjects at Sea, or in any Port within the Kings Dominions, the Chancellor (upon a Bill of complaint) calling to him any of the Justices of either Bench, shall have power to enlarge the person so attached, and to make delivery and restitution of the ship or goods, or the value thereof, and also of all costs, expences, and losses sustained in that behalf.

* II. **Stat.** 1 *R.* 3. 9. An Alien Artificer (not made Denizen) shall not remain nor exercise any Handicraft in *England*, unless as servant to a Subject skilful in the same Art, in pain to forfeit all his goods.

III. No such Alien shall here in *England* make any cloth, or put any wooll to work, in pain to forfeit the cloth so made.

IV. Such an Alien shall here in *England* sell his wares in gross, and

and not by retail, in pain to forfeit the value of the wares otherwiſe ſold: and being an Handicraftſman, and inhabiting a great houſe, or chamber, ſhall not take any Apprentice or ſervant to work with him, unleſs it be his ſon or daughter, or elſe a Subject born, in pain to forfeit for every Apprentice or ſervant otherwiſe taken 20 *li.*

V. The forfeitures of this Act are to be divided between the King and the proſecutor.

VI. Stat. 14. H. 8. 2. No Stranger Artificer (Denizen, or not Denizen) ſhall take any Apprentice, but ſuch as is born under the King's obeiſance, in pain to forfeit 10. l. for every Apprentice otherwiſe taken, to be divided betwixt the King and the proſecutor.

No Alien ſhall keep above two Journey-men, except they be born under the King's obeiſance, upon the like pain, to be divided as aforeſaid.

VII. All Strangers (Denizens or not Denizens) dwelling within two miles of *London* ſhall be under the reformation of the Wardens of Handicrafts within that City, and of one ſubſtantial Stranger, being an houſholder of the ſame Craft, to be choſen by the ſame Wardens.

VIII. The ſaid Wardens and that one Stranger ſhall aſſign a proper mark for Strangers wares, without taking any thing for the ſame.

IX. The ſaid Wardens and Stranger ſhall have power to ſearch, view, and reform the wares of Aliens, made within the ſaid precinct.

X. Smiths, Joyners and Coopers (being Aliens) ſhall put ſuch marks to their wares, before they ſell or uſe them, as the ſaid Wardens ſhall appoint, without taking any thing therefore, in pain to forfeit the double value thereof, to be divided between the King and the proſecutor.

XI. If upon ſuch ſearch the Wardens and Stranger ſhall finde any wares to be deceitfully made, they ſhall be forfeit, *viz.* the one half to the King, and the other half to the finder, and ſhall be recovered by action of Detinue.

XII. Wardens and Maſters of Fellowſhips of Handicrafts in other Corporations, and Bailiffs, and other head-Officers in Towns lacking Wardens, have like power to reform ſtrangers, and ſtrangers are bound to yield obedience unto them, upon the like pains as aforeſaid.

XIII. Here if a ſtranger be wronged, upon complaint to the Chancellor and Treaſurer of *England*, or to the Juſtice of Aſſize, he ſhall have redreſs.

XIV.

XIV. This Act shall not extend to strangers dwelling in *Oxford*, *Cambridge*, or St. *Martins le grand*, *London*.

XV. If the Wardens, with a stranger, or the Officers of Corporations or other Towns, refuse to mark a stranger's wares, being required so to doe, in such case it shall be lawfull for such stranger to sell his wares, this Act notwithstanding.

XVI. This Act shall onely extend to Joyners, Pouch-makers, Coopers and Back-smiths, and to no other Crafts.

XVII. Any of the King's Subjects, having land worth 100.*l. per annum*, may retain any stranger, that is a Joyner or Glasier, to work for him this Act notwithstanding.

XVIII. **Stat.** 21 *H.* 8. 16. A Decree made in the Star-Chamber the 20 of *February*, 20 *H.* 8. concerning Artificers strangers, was confirmed: The substance of which Decree hereafter followeth.

XIX. A stranger Artificer shall not keep in his house at one time above two strangers servants: howbeit a subject Artificer may retain as many strangers as he pleaseth, to be his servants or Apprentices.

XX. Strangers Artificers may take as many Englishmen to be their servants or Apprentices as they can get.

XXI. Strangers Artificers shall be contributary with English Artificers; and in case they refuse, they shall not onely lose the benefit of this Decree, but likewise be prohibited to exercise their Craft, in pain of incurring the forfeiture of the aboveſaid Statute.

XXII. Strangers Artificers shall (upon lawful warning) go with the Wardens, and other Governours of the same Company to make search; which if they refuse, and that proved before the Chancellor of *England*, or Mayor of *London*, or (in other places) before the chief Officers, they shall no longer exercise their profession in *England*, in pain of the forfeitures aforesaid.

XXIII. Strangers Artificers shall (upon lawful notice) make oath to be true to the King, and obedient to his Laws, and to make due search with others, and not to discover to any beforehand the intention of search; and being sworn, shall pay for their Commission as the Subjects of *England* do.

XXIV. No strangers but Denizens shall keep house or shop, on pain of incurring the penalties of the aforesaid Statutes.

XXV. Strangers shall not assemble but in the Common Hall of their Mysteries, upon the penalties aforesaid.

XXVI. This Decree and Act (for so much as concerns Cordwainers) shall extend as well to such as work old stuff, as those that work new.

XXVII. This Decree and Act shall not extend to strangers (De-

hizens or not Denizens) dwelling in *Oxford*, *Cambridge*, or *St. Martins le grand*, *London*.

XXVIII. **Stat.** 22 *H.* 8. 8. Aliens born, made Denizens, ſhall pay all ſuch cuſtomes and other duties as they did before they were made Denizens.

XXIX. A Table of Cuſtomes, Tolls and Duties, ſhall be ſet up in every City, Borough and Town, in pain that every City not doing the ſame ſhall forfeit 5 l. and every Town Corporate 40 s. for every moneth, the ſame ſhall fail to be ſet up at *Penteco ſt* next, to be divided betwixt the King and the proſecutor.

XXX. This Act ſhall not prejudice the Merchants of the *Stilyard*, *London*.

XXXI. Provided, that the Tables of Scavage to be ſet up in *London* ſhall be approved by the Chancellor and Treaſurer of *England*, the Preſident of the King's Council, the Lord Privie-Seal, the Lord Steward of the King's houſe, and the two chief Juſtices, or four of them, and ſhall be by them ſubſcribed.

XXXII. **Stat.** 22 *H.* 8. 13. No ſtranger, being a common Baker, Brewer, Surgeon or Scrivener, ſhall be accounted a Handicrafts-man within the penal Statutes made againſt ſtrangers Artificers.

XXXIII. **Stat.** 32 *H.* 8. 16. All ſtrangers (made Denizens) ſhall be obedient to the Statutes of 1 *R.* 3. 9. 14 *H.* 8. 2. and 21 *H.* 8. 16. And in all Letters Patents of Denization hereafter to be made a *Proviſo* for that purpoſe ſhall be inſerted; ſave onely when the King ſhall pleaſe to grant ſpecial Liberties, and then thoſe Liberties ſhall be plainly expreſt, both in Bills ſigned by his Majeſty, and alſo in the Letters Patents.

XXXIV. No Alien Artificer (Denizen or not Denizen) in *Oxford*, *Cambridge*, or *St. Martins le Grand*, *London*, ſhall keep above two ſtrangers ſervants at one time, in pain to incur the penalty of 4 *H.* 8. 2.

XXXV. Every Alien (not Denizen) within the King's Dominions ſhall be bound to obſerve the Laws of this Kingdom.

XXXVI. No Subject or Stranger (uſing no handicraft) ſhall retain above four ſervants ſtrangers, in pain to forfeit for every ſervant kept above that number 10 *l.*

XXXVII. The aboveſaid forfeitures ſhall be divided betwixt the King and the proſecutor.

XXXVIII. This Act ſhall not be prejudicial to a Proclamation publiſhed by the King, concerning the payment of Cuſtomes for ſtrangers to endure for certain years.

XXXIX. Lords of the Parliament may keep ſix ſtrangers born at one time.

XL. No ſtranger (except Denizens) ſhall take a Leaſe of any houſe or ſhop, in pain to forfeit 5 *l.* and none ſhall let them ſuch Leaſes upon the like pain, both of them to be divided betwixt the King and the Proſecutor.

Amendments.

I. **Stat.** 14 *E.* 3. 6. **Stat.** 1. A proceſs which is defective by Miſpriſion of a Clerk, in one ſyllable or letter too much or too little, ſhall be amended without giving advantage to the party challenging the ſame.

II. **Stat.** 9. *H.* 5. 4. The Juſtices before whom ſuch default ſhall be found in any Record or Proceſs, may amend the ſame as well after Judgment as before, ſo long as ſuch Record or Proceſs ſhall continue before them.

III. **Stat.** 4 *H.* 6 3. The Statute of 9 *H.* 5. 4. is made perpetual, provided it ſhall not extend to Records or Proceſs in *Wales*, or whereby any perſon is outlawed.

IV. **Stat.** 8 *H.* 6. 12. No Judgment or Record ſhall be reverſed or annulled for Error aſſigned by reaſon of the razing or interlining of any Record, Proceſs, Warrant, Writ, Pannel, or Return, or of any Addition, Subtraction or Diminution of Words, Letters, Titles, or parcel of Letters found in the ſame.

V, The Judges may reform all defects in any Record, Proceſs, Wards, Plea, Warrant, Writ, Pannel, or Return; (except Appeals, Indictments of Treaſon or Felony, and the Outlawries of the ſame) and the ſubſtance of the proper names, ſurnames, and additions left out in original Writs, Exigents and in other Writs of Proclamation, (contrary to the Statute of 1 *H.* 5. 5. *which ſee in Addition*) ſo that by ſuch miſpriſion of the Clerk no Judgment ſhall be reverſed or annulled.

VI. Variance alledged between a Record and the Certificate thereof ſhall be amended by the Judges.

VII. Imbezilling of a Record is felony.

VIII. If a record, proceſs, writ, warrant, pannel, return, or any parcel thereof, be exemplified under the Great Seal, and inrolled, for any error aſſigned in the ſaid Record, *&c.* in any letter, word, clauſe or matter varying, or contrary to the exemplification and inrolment, there ſhall be no judgment reverſed or annulled.

IX. **Stat.** 8 *H.* 6. 15. The Juſtices may amend the miſpriſions and defaults of Clerks of the Court, or of Sheriffs their Clerks

and of all other Officers whatſoever, found before them in any record or proceſs, or the return of the ſame, by reaſon of writing one letter or one ſyllable too much or too little; except in records and proceſſes within *Wales*, and of felonies and treaſons, and the dependants of the ſame.

Amerciaments.

I. **Magna Charta**, *cap.* 14. 9 *H.* 3. A free-man ſhall not be amercied for a ſmall fault, but according to the manner thereof, and for a great offence according to the quantity thereof, ſaving to him his Contentment (or *Countenance*) and a Merchant ſaving his merchandize, and any Villain (except the King's) ſhall be amercied, ſaving his wainage; and ſuch amerciaments ſhall be aſſeſſed by lawful men of the Vicinage. Peers alſo ſhall be amercied by Peers, according to their offence. Alſo Church-men ſhall be amercied according to their Lay-tenement, and the quantity of their offence, and not according to their Spiritual Benefice.

II. **Ward.** *cap.* 18. 52 *H.* 3. No Eſcheator, Commiſſioner, or Juſtice aſſigned to take Aſſiſes, or to hear or determine matters, ſhall have power to amerce for default of common Summons, but the chief Juſtices, or the Juſtices in Eyre in their Circuit.

III. **Weſt** 2. *cap.* 6. No City, Borough, Town, or man ſhall be amercied without reaſonable cauſe, and according to the treſpaſs, *viz.* every Free-man ſaving his Free-hold, a merchant ſaving his Merchandize, a Villain ſaving his Gainure, and that by his or their Peers.

Anniverſary Faſt.

I. **Stat.** 12 *Car.* 2. *cap.* 30 Every 30th. day of *January*, unleſs it falls upon the Lords day, throughout his Majeſties Dominions ſhall be kept and obſerved as an anniverſary day of Faſting and Humiliation for the horrid Murther of King *Charles* the First, committed by a party of deſperately wretched and wicked men, to the ſhame and reproach of the people of *England*, and Proteſtant Religion: and to implore God's mercy, that the ſaid ſacred and innocent bloud, nor thoſe other ſins which provoked God to deliver up the ſaid King into the hands of wicked and unreaſonable men, may not hereafter be viſited upon the people of *England* or their Poſterity.

Anniverſary Thankſgiving.

I. Stat. 12 *Car.* 2. *cap.* 14. A perpetual anniverſary Thankſgiving, to be celebrated on the 29th. day of *May*, for the wonderful power and goodneſs of God in reſtauration of the King by the unanimous and cordial affection of the Lords and Commons in Parliament, and people in general; upon which day all perſons are to reſort to ſome Church, Chappel or publick place of Thankſgiving, this Act to be then read, and notice to be given the next Lord's day before.

Appearance.

I. Stat. 10 *H.* 6. 4. No Filizer, Exigenter, or other Officer whatſoever in any ſuit ſhall make entry, that the Plaintiff *obtulit ſe in propria perſona ſua*, unleſs the Plaintiff, before ſuch entry made, doth (indeed) appear in proper perſon before ſome of the Juſtices of the place where the Plea depends, and (either by himſelf, or ſome other credible perſon of his Council) make oath, that he is the ſame perſon in whoſe name that ſuit is proſecuted. This Act to continue to the next Parliament.

II. Stat. 18 *H.* 6. 9. The *Stat.* of 10 *H.* 6. 4. is made perpetual.

III. No officer contained in the Statute of 10 *H.* 6. 4. ſhall do to the contrary thereof, in pain to forfeit 40 s. to the King for every time that he ſhall be attainted thereof by due examination of any of the Juſtices, before whom the Entry or Record is.

IV. Every Attorny who hath not his Warrant entred upon Record, in all ſuits wherein proceſs of *Capias* and *Exigent* are awarddable, the ſame Term in which the *Exigent* is awarded, or before, and is thereof attainted by like examination, for every time he ſo offendeth ſhall incur the pain aforeſaid.

Appeals.

I. Magna Charta, *cap.* 34. 9 *H.* 3. No man ſhall be taken or impriſoned upon the appeal of a woman, for the death of any other than her husband.

II. Weſt. 1. *c.* 14. 3 *E.* 1. The acceſſary in an appeal ſhall not be outlawed before the Principal be attainted: Howbeit, none ſhall intermit to commence their appeal at the next County as well againſt the acceſſary as againſt the principal: but the *Exigent* againſt

againſt thoſe ſhall remain, until thoſe be attainted by Outlawry or otherwiſe.

III. **Stat.** *Glouc. c.* 14. 9 *E.* 1. If the Appealor declare the deed, the year, the day, the hour, the time of the King, and the town where the fact was done, and with what weapon, the appeal ſhall ſtand, and ſhall not be abated for default of freſh ſuit, ſo that he ſue within a year and a day after the fact.

IV. **Weſt.** 2. 12. 13 *E.* 1. Upon a falſe appeal by malice the Appellor ſhall ſuffer a years impriſonment, make fine to the King, and recompence damages to the Appellant at the diſcretion of the Juſtices.

V. When the appealor is not able to ſatisfie damages, and an Abettor (through malice) is alſo found by the ſame Inqueſt, ſuch Abettor ſhall alſo be puniſhed by impriſonment, and reſtitution of damages, as before.

VI. **Articuli Cleri,** *ca.* 10. 9 *E.* 2. Thieves and Appealors (whenſoever they will) may confeſs their offences to Prieſts: but let the Confeſſors beware that they inform them not erroneouſly.

VII. **Stat. of Appeals,** 28 *E.* 1. When any are appealed by provers, the Sheriff ſhall by the King's Writ, under the teſtimony of the Juſtices that delivered thoſe provers, bring ſuch Appeales to the Gaols where the provers or appealors are kept, to anſwer before the ſame Juſtices; and if the Appealees will be tryed by the County, the Sheriff ſhall alſo by a judicial Writ from the ſame Juſtices cauſe an inqueſt to appear.

VIII. The Sheriff and others (in whoſe cuſtody ſuch Appealors are kept) ſhall receive ſuch Appealees without contradiction.

IX. **Stat.** 1 *H.* 4. 14. All appeals of things done within the Realm, ſhall be tryed by the laws thereof; and of thoſe done out of the Realm, by the Conſtable and Marſhal of *England* for the time being.

Appeals to *Rome*.

* I. **Stat.** 24 *H.* 8. 12. All cauſes Teſtamentary, and of Matrimony, divorces, rights of tithes, oblations and obventions, ſhall be adjudged within the King's Authority, and not elſewhere.

II. The Prelates of this Realm may execute all Sacraments, Sacramentals, Diving Service, and all other things to the King's ſubjects which they ought to do, notwithſtanding any appeal to *Rome*, or any other forein power whatſoever.

III. If any ſpiritual perſon for fear of any forein power ſhall

refuſe ſo to do, he ſhall make fine and ranſom at the King's pleaſure.

IV. Whoſoever procureth from the See of *Rome*, or any other forein Court, any appeals, proceſs, ſentences, *&c.* ſhall incurr a *Præmunire*, provided by the Statute of 16 *R.* 2. 5. *which ſee in Proviſo* 8.

V. Appeals in caſes Eccleſiaſtical ſhall be ſued from the Archdeacon or his Official to the Biſhop Dioceſan; and when the cauſe is commenced before the Biſhop Dioceſan or his Commiſſary, within 15 dayes after ſentence, an appeal may be made from thence to the reſpective Archbiſhop of the Province, to be there definitely adjudged.

VI. When the cauſe is commenced before an Archdeacon of any Archbiſhop or his Commiſſary, the appeal may be made within 15 days after ſentence to the Court of Arches or audience of the ſame Archbiſhop; and from the Arches or audience, within 15 days after ſentence there, to the Archbiſhop himſelf, to be finally determinated, without any further appeal.

VII. When the cauſe is commenced before the Archbiſhop himſelf, it ſhall be there determined without any farther appeal, ſaving to the Archbiſhop and Church of *Canterbury* the due prerogative heretofore uſed.

VIII. When the cauſe or ſuit concerns the King, the party grieved may (within fifteen days after ſentence) appeal from any of the ſaid Courts, to the Prelates aſſembled (by the King's Writ) in the Convocation being, or next enſuing in the Province where the ſuit was begun; and there it ſhall be finally determined.

IX. If any ſhall hereafter purſue any appeal contrary to this Act, or ſhall refuſe to obey it, he ſhall incur a *Præmunire*.

Apprentice.

I. **Stat.** 12 *H.* 7. 1. The makers of Worſteads, Sayes, and Stamins in *Norfolk* are enabled to take Apprentices, and any perſon may alſo put Apprentices unto them; ſo that they keep not above two Apprentices (at moſt) at one time.

Appropriations.

I. **Stat.** 15 *R.* 2. 6. In every Licenſe made in Chancery of the Appropriation of any Church, this ſhall be contained, *viz.* That the *Dioceſan* ſhall ordain (according to the value of ſuch Churches) a convenient Sum to be yearly diſtributed out of the profits

profits thereof to the poor of the Parish by the appropriators and their successors for ever; and also that the Vicar shall by sufficiently endowed.

II. Stat. 4 *H.* 4. 12. The Statute of 15 *R.* 2. 6. shall be duly executed, and Appropriations made since that Statute contrary thereunto shall be reformed before Easter, or else to be void, except *Haddenham* in the Isle of *Ely*.

III. All Vicarages annexed or appropriated since 1 *R.* 2. shall be void.

IV. In every Church so appropriate, a secular person shall be ordained Vicar, canonically instituted and inducted in the same, and conveniently endowed (by the discretion of the Ordinary) to doe Divine Service, inform the people, and keep hospitality there, (except *Haddenham* aforesaid) and no Religious shall be hereafter made Vicar in any Church so appropriate.

Approvements.

I. Merton, *Cap.* 4. 20 *H.* 3. Lords of Wastes or Commonable woods or pastures may approve against their Tenants part thereof, so that they leave sufficient common besides, together with free egress and regress to enjoy the same: And the truth thereof shall be enquired by Assise, wherein damages shall be given to the Plaintiff if he recover, and the disseisors shall be amercied.

II. West. 2. *cap.* 46. 13 *E.* 1. The Statute of *Merton* shall not onely binde the Lords Tenants, but neighbours also which claim common of Pasture as appurtenant to their Tenements: but if any claim common by special feoffment or grant for a certain number of beasts, or otherwise, which is due to him of common right, he shall recover the same according to the form of such grant.

III. By occasion of a Wind-mill, Sheep-cote, Dairy, inlarging of a court necessary, or courtilage, none shall be grieved by Assise of *Novel disseisin*, for common of Pasture.

IV. If any (upon just title of approvement) do make a ditch or hedg for that purpose, which afterwards is thrown down by some who cannot be discovered by verdict of the Assise or Jury, and the Towns adjoyning will not indite such as are guilty of the fact; in such case the said Towns shall be distrained to level again such ditch or hedg at their own costs, and shall also yield damages.

V. Stat. 3 *E.* 6. 3. The Statute of *Merton*, *cap.* 4. and *West.* 2. *cap.* 46. are confirmed.

VI. Upon Judgment for the Plaintiff in an Assise upon any

branch of the ſaid Statutes of *Merton* or *Weſt.* 2. the Court ſhall award treble damages.

VII. This Act ſhall not extend to houſes heretofore built upon waſtes or commons, not having above 3 Acres of ſuch waſte or common-ground belonging to them, nor to any Garden, Orchard or Pond there not exceeding two Acres; neither yet ſhall it cauſe any perſon to loſe or forfeit any pain or damage for the ſame, but ſuch houſes and grounds ſhall ſtill ſtand and remain: howbeit the owners of ſuch waſtes or commons may lay open ſo much thereof as ſhall exceed three Acres.

VIII. **Stat.** 43 *El.* 11. All Contracts or Bargains made of part of ſuch waſtes, commons, or ſeveral grounds (lying in or near the ſame) as are ſubject to ſurrounding, between the Lords, Commoners, or owners thereof on the one part, and the drainers on the other part, ſhall be good in Law according to the manners and form of ſuch contracts or bargains.

IX. Where the Queen, her heirs and ſucceſſors, hath an intereſt in ſuch waſtes or commons, ſuch contracts or bargains ſhall not binde them, unleſs they be written in parchment, indented, and certified into the Chancery, and the royal aſſent thereunto firſt obtained, and ſignified under the privie or great Seal, when the waſtes or ſoils are of the poſſeſſions of the Crown; but under the Seal of the Dutchy of *Lancaſter*, and inrolled in that Court, when they are of that kinde.

X. This Act ſhall not impair or take away the intereſt of ſuch Lords, Commoners, or Owners in any part of the reſidue of the waſtes or commons not aſſigned to the ſaid Drainers, or any Franchiſe or Liberty; but that the ſame may be lawfully uſed, as if this Act, or ſuch contract or bargain had not been made.

XI. This Act ſhall not be prejudicial to Ports or Havens, neither ſhall it be put in execution within eight miles of *Yarmouth*, or ſix miles of *Linne*.

☞ Armour, Arms.

I. **Stat.** 7 *E.* 1. It belongeth to the King to prohibit force of Arms, and all other force againſt the peace, and to puniſh offenders therein according to the Law; and herein every ſubject is bound to be aiding.

II. **Stat.** 1 *E.* 3. *Stat.* 2. 5. None ſhall be charged to arm himſelf otherwiſe then as was uſed in the time of the King's progenitors; neither yet ſhall any be compelled to go out of his Shire, but when neceſſity requireth, and the ſudden coming of ſtrange enemies

naies into the Realm: and then it ſhall be done as in times paſt for the defence of the Realm.

III. **Stat.** 2 *E.* 3. 3. None ſhall come with force and arms before the King's Juſtices, or other his Miniſters, nor go or ride armed in affray of peace, in pain to forfeit their armour, and to ſuffer impriſonment at the King's pleaſure.

IV. Juſtices of Peace, and other Officers, have power to put this Act in execution, and the Juſtices of Aſſiſe ſhall inquire of their default in that behalf.

V. **Stat.** 7 *R.* 2. 13. None ſhall ride in harneſs contrary to 2 *E.* 3. 3. in pain to forfeit the ſame.

VI. **Stat.** 20 *R.* 2. 1. The Statutes of 2 *E.* 3. 3. 7 *R.* 2. 13. ſhall be duly obſerved, upon the pains contained in the ſaid Statute of 2 *E.* 3. 3. and beſide to make fine to the King.

VII. **Stat.** 31 *El.* 4. To imbezil 20 s. worth of the Queen or her ſucceſſors Ordnance, Munition, or Victual provided for war, for lucre, or with purpoſe to hinder the ſervice, is adjudged felony, if proſecuted within the year.

VIII. This offenſe ſhall not cauſe corruption of bloud, nor loſs of Dower, onely the offender ſhall forfeit his lands during his life.

IX. The Defendant may produce witneſſes for his diſcharge.

See more in Title of Captains *and* Souldiers, *n.* 39.

Arreſts.

I. **Weſt.** 1. *cap.* 34. 3 *E.* 1. None (except the King's Miniſters) ſhall within a Liberty arreſt any perſon paſſing through the ſame, and holding nothing thereof, for any Contracts, Covenants, or treſpaſſes made or done out of ſuch Liberty, in pain to pay double damages to the party grieved, and a fine to the King.

II. **Stat.** 58 *E.* 3. 5. None ſhall arreſt Clerks or other perſons of holy Church doing Divine Service, in pain of grievous forfeiture, ſo that Colluſion be not found in any ſuch perſons or Clerks.

III. **Stat.** 1 *R.* 2. 16. None ſhall arreſt ſuch perſons or Clerks doing Divine Service, in pain of impriſonment, and to be ranſomed at the King's will.

IV. **Stat.** 13 *Car.* 2. *ca.* 2. *Stat.* 2. No perſon arreſted upon any Writ out of the King's Bench or Common-Pleas, upon which he is bailable by the Statute 23 *H.* 6. *ca.* 10. ſhall be forced to give Security or enter into bond with Sureties for his appearance at the day in ſuch writ, bill or proceſs ſpecified in any ſumm above 40 l. unleſs the cauſe of action be expreſſed particularly; and where

ſuch

ſuch cauſe of action is not expreſſed, all Sheriffs and Officers ſhall let to bail perſons arreſted upon 40 l. Security for their appearance, according to the Statute 23 *H.* 6.

V. Upon appearance by Attorney in Term entred in Court where the proceſs is returnable, the bailbond ſhall be ſatisfied and diſcharged; and after ſuch appearance, no amerciament ſhall be eſtreated againſt any Sheriff or officer for want of appearance: and if the Plaintiff in ſome perſonal action declare not before the end of the next term after appearance. Non-ſuit may be entred againſt him, and coſts taxed and levied, as in the Statute of 28 *H.* 8. *ca.* 15.

VI. *Proviſo* this Act extend not to *Cap' utlagatum*, Attachments upon Reſcous, Attachments of Priviledge, or any other Attachment for contempt whatſoever, iſſuing out of either of the ſaid Courts.

VII. Original writs may be ſued upon perſonal actions againſt perſons in the Fleet, and an *Habeas corpus* granted to bring them to the barr to anſwer any ſuit and declaration; being put in, and the Defendant not pleading, judgment may be entred by *Nihil dicit*, and the Priſoner charged in execution, upon notice thereof to the Warden of the *Fleet* by rule of the Court.

VIII. In Actions of debt and other perſonal Actions and *Ejectione firm'* in any of the ſaid Courts, after iſſue joyned to be tried by the Jury, and after Judgment obtained, there ſhall not need to be 15 days between the Teſte and Return of any *Venir' fac'*, *Hab' corpora Jurator'*, *Diſtringas*, *Fieri fac'*, or *Cap' ad ſatisfaciendum*; and the want thereof ſhall be no error.

Provided this extend not to Writs of *Cap' ad ſatisfaciendum*, where any exigent after judgment is to be awarded; nor to any *Cap' ad ſatisfaciendum*, in order to make any bail liable.

☞ Arrow-Heads.

* I. **Stat.** 7 *H.* 4. 7. All Heads for Arrows and quarrels ſhall be well boiled or brazed, and hardened at the point with ſteel, in pain to forfeit them, be impriſoned, and make fine at the King's will.

II. Such Arrow-heads and quarrels ſhall be marked with the proper mark of the maker.

III. Juſtices of P. have power to puniſh ſuch as make defective Arrow-heads and quarrels.

Aſſault

Aſſault.

* I. **Stat.** 5 *H.* 4. 6. If any aſſault the ſervant of a Knight or Burgeſs of Parliament, Proclamation ſhall be made that he render himſelf into the King's Bench within a quarter of a year, which if he do not, he ſhall be attainted of the fact, and pay double damages to the party grieved, to be taxed by the diſcretion of the Juſtices, or by inqueſt, if need be; and beſides ſhall make fine and ranſom at the King's will.

II. **Stat.** 11 *H.* 6. 11. The like proviſion is made againſt aſſaults made upon any Member of either houſe of Parliament, or of any other Council aſſembled by the King's command; only, if it be not Term-time, he ſhall then appear the firſt day of the Term following that quarter, and upon appearance ſhall be proceeded againſt as before.

Aſſiſes.

I. **Magna Charta.** *cap.* 12. 9 *H.* 3. Aſſiſes of *novel diſſeiſin* and *Mortdanceſtor* ſhall be taken in their proper Shires in this manner: The King, or (in his abſence out of the Realm) the chief Juſtices ſhall once a year ſend the other Juſtices through every County to take together with the Knights of the Shires ſuch Aſſiſes in thoſe Counties, and ſuch things as cannot be there determined ſhall be ended elſewhere in their Circuits: Alſo difficult matters ſhall be referred to the Juſtices of the Bench to be there determined.

II. **Weſt.** 1 *cap.* 24. 3 *E.* 1. If any Eſcheator, Sheriff, or other Bailiff of the King, do by colour of his office, without ſpecial warrant pertaining to his office, diſſeiſe any man of his free-hold, or any thing belonging thereunto, it ſhall be in the election of the diſſeiſee, whether the King by office ſhall cauſe it to be amended upon complaint, or that he will ſue by writ of *Novel diſſeiſin*, wherein if the diſſeiſor be attainted, the diſſeiſee ſhall recover double damages, and the diſſeiſor ſhall alſo be grievouſly amerced to the King.

III. **Weſt.** 1 *cap.* 36. 3 *E.* 6. If any be attainted of *diſſeiſin* done in the now King's time with robbery of goods or otherwiſe, the diſſeiſee by Aſſiſe of *Novel diſſeiſin* ſhall recover his ſeiſin and damages, and the diſſeiſor (whether preſent or not) ſhall make fine, and if preſent, ſhall be committed.

IV. **Weſt.** 1. *cap.* 48. 3 *E.* 1. Aſſiſes of *Novel diſſeiſin*, *Mortdanceſtor* and *Darreine preſentment*, ſhall be taken in *Advent*, *Septuageſima*,

geſima and *Lent*, as well as inqueſts, and that at the ſpecial requeſt of the King made to the Biſhops.

V. *Cateſt.* 2 *cap.* 25. 13 *E.* 1. For eſtovers of wood, profit to be taken in woods, corrodie, delivery of corn, and other victuals and neceſſaries to be received yearly in a certain place, toll, tunnage, paſſage, pontage, pawnage, and the like to be taken in places certain, keeping of Parks, Woods, Foreſts, Chaſes, Warrens, Yates, and other Bailiwicks and Offices in Fee, an Aſſiſe of *Novel diſſeiſin* ſhall be; and in ſuch caſes the Writ ſhall be (as in other caſes) *de libero tenemento.*

VI. It ſhall alſo be for Common of Turf-land, fiſhing, and ſuch like common appendant to Free-hold, or by ſpecial deed, (as it heretofore held place for common of paſture) provided the eſtate therein be (at leaſt) for life.

VII. If any holding for years or in ward alien the fee, remedy ſhall be had by this Writ, and both the feoffors and feoffees ſhall be had for diſſeiſors; ſo that during the life of any of them the ſaid Writ ſhall hold place, and if they die, the remedy ſhall be by Writ of *Entry.*

VIII. The giving of this Writ in new caſes ſhall not diminiſh the force thereof in thoſe wherein it had force before; and remedy alſo ſhall be had thereby in caſe where one feedeth in the ſeveral of another.

IX. In this ſuit if the Defendant fail to make good the exception which he pleads, he ſhall be adjudged a Diſſeiſor without taking the Aſſiſe, and ſhall give to the Plaintiff double damages, both inquired, and to be inquired; and beſides ſhall ſuffer a years impriſonment.

X. If ſuch an exception be alledged by a Bailiff, the taking of the Aſſiſe ſhall not be thereby delayed, nor yet the Judgment upon the reſtitution of the lands and damages: Howbeit, if the Maſter of ſuch Bailiff afterwards offer to prove to the Court by matter of record, that there was juſt exception, whereby the Plaintiff might have been barred, he ſhall have a *Venire facias* to produce ſuch record: and then, if the Juſtices ſee cauſe, the Plaintiff ſhall be warned to appear at a certain day, and the Defendant ſhall then have again his ſeiſin and damages, and the Plaintiff ſhall be puniſhed by impriſonment at the diſcretion of the Juſtices. In like manner alſo ſhall the Juſtices proceed, in caſe the Defendants proof is by deeds or releaſes; and if the Plaintiff purchaſed the Aſſiſe contrary to his own deed, he ſhall be puniſhed as aforeſaid.

XI. The Sheriff ſhall not take an Ox of the diſſeiſee, but of the diſſeiſor only, and but one Ox, though there be many diſſeiſors named

med in the Writ; and that Ox ſhall not exceed 5 s. in value. *Note that* 5 s. *then, hath now the value of* 15 s.

XII. Weſt. 2. 46. 13 *E.* 1. Where common of Paſture hath been uſurped during Nonage, Coverture, tenancy in dower, by the courteſie, for life, years, or in tail, it hath been holden, that, if ſuch poſſeſſor of common be deforced, he ought to have Action by Writ of *Novel diſſeiſin*: it muſt now be holden, that ſuch as have entred within the time that an Aſſiſe of *Mortdanceſtor* hath lain, if they had no common before, ſhall not recover by Writ of *Novel diſſeiſin*, albeit they be deforced.

XIII. Stat. *de conjunct. feoffatis*, 34 *E.* 1. In an Aſſiſe of *Novel diſſeiſin*, if joynt-tenancy be pleaded by force of a Deed, upon the Plaintiffs averment againſt it, the Juſtices ſhall keep the Deed until the trial, and in the mean time ſhall by *ſcire facias* ſummon the abſent joynt-tenant to be preſent with the Defendant at the ſaid trial, and they ſhall there maintain the Plea, if they can: But if it ſhall then be proved by an Aſſiſe, that the Plea was maliciouſly alledged to delay the Plaintiff, albeit the Aſſiſe doth paſs for the Defendants, yet he who pleadeth that exception ſhall ſuffer one whole years impriſonment, and ſhall not be enlarged without grievous fine: And if it be found by Aſſiſe, that the Plaintiff was diſſeiſed, he ſhall recover ſeiſin and double damages, and the trial ſhall go on, notwithſtanding ſuch Plea, and albeit neither of the pretended joynt-tenants appear; howbeit joynt-tenancy ſhall not be pleaded by Bailiff.

XIV. Alſo in Aſſiſes of *Mortdanceſtor*, and *juris utrum*, the like courſe ſhall be taken as in thoſe of *Novel diſſeiſin*.

XV. In other Writs likewiſe, whereby Tenants are demanded; ſave that in them the damages are referred to the diſcretion of the Juſtices.

XVI. Stat. *Eborum.* 34 *E.* 2. 1. Tenants in Aſſiſe of *Novel diſſeiſin* may make Attorneys, and may alſo plead by Bailiffs, as in times paſt.

XVII. Stat. 7 *R.* 2. 10. An Aſſiſe of *Novel diſſeiſin* for rents iſſuing out of lands in divers Counties ſhall be taken in *Conſitio Comitatus*, as is uſed for Common of Paſture in one County appendant to Tenements in another.

XVIII. Stat. 1 *H.* 4. 8. A ſpecial Aſſiſe is maintainable by the diſſeiſee for ſuch lands as are granted by the King's Patent, without title firſt found by inqueſt for the King, without ſuit to be made to the King in that behalf; and if the Patentee pray in Aid of the King, a *Procedendo* ſhall be alſo granted without ſuit.

XIX. Here if the Aſſiſe paſs for the diſſeiſee, he ſhall reco-

ver

ver treble damages againſt the Patentee.

XX. **Stat.** 4 *H.* 5. 8. If any make forcible entry into lands by way of maintenance, the Chancellor of *England* ſhall grant a ſpecial Aſſiſe without ſuing to the King: and if the diſſeiſor ſhall be attainted thereof, he ſhall ſuffer one whole years impriſonment, and reſtore double damages to the party grieved.

XXI. **Stat.** 6 *H.* 6. 2. The pannels of Aſſiſes ſhall be arrayed, and an indented Copy thereof delivered by the Sheriff to the Plaintiffs, Tenants, and Defendants, ſix days before the Seſſions, if they demand the ſame; alſo Bailiffs of Franchiſes ſhall make their returns thereof to the Sheriff at the like time; upon pain to forfeit each of them, Sheriff or Bailiff, 40 l.

XXII. **Stat.** 11 *H.* 6. 2. In an Aſſiſe, if the Sheriff be named a diſſeiſor by Colluſion, to the end the Writ may be directed to the Coroner, and the Aſſiſe ſecretly awarded by the tenant's default, upon the Plaintiffs averment thereof, and if it ſhall alſo be found by the Aſſiſe to be ſo, the Juſtices ſhall abate the Writ, and grievouſly amerce the Plaintiff.

XXIII. **Stat.** 21 *H.* 8. 3. The Plaintiff in Aſſiſe may abridge his plaint of any part whereunto a barr is pleaded, without prejudice to the reſidue.

Attaint.

I. **Weſt.** 1 *cap.* 37. 3 *E.* 1. An Attaint is granted in Plea of Land, Free-hold, or any thing touching Free-holds

II. **Stat.** *de attinctis*, 13 *E.* 2. In Attaint, if the firſt Jurors which ſhall be living appear not at the firſt grand diſtreſs, or be returned to have nothing, by their abſence there ſhall be no delay made of the other Jury: *See* Raſt. *Attaint* 2.

III. **Stat.** 1 *E.* 3. 6. In a Writ of Treſpaſs, an Attaint ſhall be granted by the Chancellor without ſpeaking to the King, as well upon the principal as upon the damages.

IV. In all caſes of Attaints, the Juſtices ſhall not let to take the Attaints for the damages not paid.

V. **Stat.** 5 *E.* 3. 6. *Niſi prius* ſhall be granted in Attaints, but no eſſoin or protection; and five dayes by the year ſhall be given before the Juſtices of the Common Bench at leaſt.

VI. **Stat.** 5 *E.* 3. 7. Writs of Attaint ſhall be granted as well in pleas of treſpaſs moved without Writ, as by Writ before Juſtices of Record, if the damages adjudged do exceed 40 s.

VII. **Stat.** 28 *E.* 3. 8. An Attaint ſhall be granted as well upon a Bill of treſpaſs, as upon a Writ of treſpaſs, with-

out

out having regard to the quantity of the dammages.

VIII. **Stat.** 34 *E.* 3. 7. An Attaint ſhall lie as well in plea real as perſonal, and it ſhall be granted to the poor (who ſhall affirm that they have nothing whereof to make fine, ſaving their countenance) without fine, and to all others by eaſie fine.

IX. **Stat.** 9 *R.* 2. 3. He in the reverſion ſhall have an Attaint, or Writ of *Error*, upon a falſe verdict found, or an erroneous Judgment given againſt the particular tenant.

X. If the oath be found falſe, or the Judgment erroneous, and the tenant ſtill in life, he ſhall be reſtored to his poſſeſſion and iſſues, and the reverſioner to the arrearages: but if he be dead, or be found of Covin with the demandant, the reverſioner ſhall have all; yet the tenant may traverſe the Covin by *Scire facias* out of the Judgment or Writ of Attaint, if he pleaſe.

XI. **Stat.** 13 *R.* 2. 18. Upon a falſe verdict given before the Mayor and Bailiffs of *Lincoln*, an Attaint ſhall be ſued in the King's Bench or Common-Pleas, and the Jury ſhall be of the County of *Lincoln*, returned by the Sheriff of the ſaid County.

XII. **Stat.** 3 *H.* 5. 5. By letters Patents of *H.* 4. the name of *Bailiffs* of the City of *Lincoln* being tranſlated to *Sheriffs*, leſt it might be doubted which Sheriff ought to return the Jury in Attaint, the former Statute of 13 *R.* 2. 18. is explained and confirmed.

XIII. **Stat.** 11 *H.* 6. 4. The Plaintiff in Attaint ſhall recover againſt all the Jurors, Tenants, and Defendants, the coſts and damages which he ſhall ſuſtain (by delay or otherwiſe) in that ſuit.

XIV. **Stat.** 15 *H.* 6. 5. No Sheriff, Bailiff, or Coroner in Writs of Attaint of Plea of Land, or of Deeds concerning Lands of the yearly value of 40 s. or more, or of goods or chattels perſonal worth 40 s. or more, ſhall impannel any but ſuch as inhabit within their Bailiwicks, and have free-hold or inheritance) not ancient Demeſne, within the five Ports, or Gavel-kind) worth 20 l. *per annum*, and ſhall not return againſt them leſs iſſues then 40 s. at the firſt Writ of diſtreſſes; 10 s. at the ſecond, and double afterwards, in pain to forfeit 100 l. to the King, and as much to the Plaintiff: And none but perſons of that worth ſhall be impannelled upon Attaints, if challenge thereof be made by the Plaintiffs.

XV. If any of the Defendants plead a forein plea, and fail thereof the Juſtices ſhall give Judgment againſt them, as if the Grand Jury upon the Articles of the Writ had paſſed againſt them: Howbeit the reſt of the Defendants ſhall not be prejudiced thereby: neither ſhall this Act extend to Cities or Boroughs.

XVI.

XVI. If there ſhall not be in the County (under the degree of a Baron) enough of that worth to fill the pannel, then ſhall the ſaid Officers impannel and return the moſt ſufficient perſons there under that worth, upon the like pain.

XVII. Stat. 18 *H.* 6. 2. Owners of Inheritance or Free-hold lands in Gavel-kind of 20 l. *per annum*, may alſo be impannelled upon Attaints, notwithſtanding the Statute of 15 *H.* 6. 5.

XVIII. Stat. 11 *H.* 7. 21. None ſhall be impannelled upon a Jury in *London*, except he have lands and tenements, or goods and chattels worth 40 marks: and if the trial be for lands, or debt or damages amounting to 40 marks, or above, his real or perſonal eſtate ſhall be worth 100 marks: and the Jurors defect herein is a principal challenge.

XIX. The iſſues of the Jurors for default of appearing ſhall be at the firſt ſummons 12 d. at the ſecond 2 s. and double afterwards; and the iſſues loſt in the Mayor's Court ſhall accrue to the Mayor and Commonalty, and thoſe loſt in the Sheriffs Court, to the Sheriffs.

XX. An Attaint may be ſued by Bill in the Huſtings of *London*, upon any falſe verdict given in any of the Courts of that City: And thereupon the Mayor ſhall award a Precept to every Alderman to preſent (either by themſelves or their Deputies) unto the ſaid Mayor at the next Huſtings the names of four indifferent and diſcreet Citizens out of each of their Wards, each of them being worth in eſtate 100 pounds at leaſt; out of which the Mayor and ſix Aldermen, or more, ſhall impannel 48, whom the Mayor ſhall cauſe to be ſummoned together with the Tenants or Defendants in the Attaint to appear at the next Huſtings: and if upon default of appearance or otherwiſe there ſhall need a *Tales*, the pannel ſhall be ſupplied out of the reſt preſented, or by other ſuch Citizens, at the diſcretion of the ſaid Mayor and ſix Aldermen.

XXI. Pleas of Attaints commenced in *London* ſhall be tried there by Inqueſts of the ſame City, and not elſewhere.

XXII. In an Attaint there, no challenge ſhall lie for lack of ſufficiency in eſtate.

XXIII. The Judgment in ſuch an Attaint ſhall not extend to lands or tenements, not yet to other puniſhment of the petty Jury, or other proceſſes then ſuch as are limited by this Act.

XXIV. In ſuch an Attaint, if the petty Jury be attainted, Judgment ſhall be given againſt the Defendant, as at the Common Law, and againſt the petty Jury; to forfeit each of them 20 l. or more, at the diſcretion of the Court, to be employed as other penalties forfeited before them, and to ſuffer ſix moneths impriſonment,

&c

wr-leſs, at the like diſcretion of the Court, and to be for ever after diſabled to be a Juror.

XXV. But if the verdict be affirmed, the Grand Jury ſhall further inquire the corruption of the petty Jurors, and if any of them be found to have taken any reward, or promiſes thereof, he ſhall forfeit ten times the value thereof to the Plaintiff, and ſhall further incurr impriſonment, and diſability to be a Juror, as aforeſaid. The like forfeiture alſo and impriſonment ſhall be inflicted upon the Tenant or Defendant that ſhall give ſuch reward or promiſe; but this laſt forfeiture ſhall accrue to the City, in manner aforeſaid.

XXVI. If a debt, coſts or damages are recovered in the firſt Action, (whereupon the Attaint is brought) and that verdict found falſe, the Plaintiff in ſuch Attaint may ſue for reſtitution of ſuch debt, coſts and damages by Writ, Bill, or Plaint, in any of the King's Courts, wherein no wager of Law ſhall be admitted.

XXVII In ſuch an Attaint, if the Plaintiff be non-ſuit, or the firſt verdict affirmed, the Plaintiff ſhall be impriſoned, and make fine (to the uſe of the City) at the diſcretion of the Court.

XXVIII. Where there are one or more Plaintiffs, if any of them die, or be non-ſuit, and albeit all the Tenants or Defendants and ſome of the petty Jury die, yet ſhall not the Attaint abate, ſo that two of that Jury remain in life.

XXIX. The Grand Jurors that make default ſhall forfeit for the firſt, forty ſhillings, for the ſecond, five pounds, and for every other afterwards, ten pounds.

XXX. Such proceſs ſhall be made againſt the Jurors and parties to this Attaint as is uſually made in Attaints at the Common Law, and ſhall be returnable at every Huſtings.

XXXI. The Attaint ſhall not remain to be taken after the firſt ſummons for the default of the Tenant or Defendant, or any of the petty Jury; neither ſhall any eſſoign be allowed in the ſame.

XXXII. When the trial is to be *per medietatem linguæ*, the Mayor and Aldermen ſhall impannel half ſtrangers, worth an hundred pound a piece.

XXXIII. **Stat.** 23 *H.* 8. 3. Upon every untrue Verdict before Judges of Record (except where the thing in demand extendeth not to the value of 40 l. or concerneth life) the party grieved ſhall have an Attaint againſt the petty Jury, and alſo againſt the party that hath the judgment thereupon.

XXXIV. The Proceſſes here ſhall be ſummons, reſummons, and proceſs infinite, as well againſt the petty Jury and party, as againſt the Grand Jury, who ſhall be of the accuſtomed number,

and have lands of the yearly value of 20 marks out of ancient demeſne.

XXXV. The diſtreſs ſhall be awarded 15 daies before the return thereof, and ſhall be made upon the land of every one of the Grand Jury, as is uſed in other diſtreſſes.

XXXVI. Albeit the Defendant, or petty Jury, or ſome of them appear not, yet the grand Jury ſhall proceed.

XXXVII. If any of the petty Jury appear, the Plaintiff ſhall aſſign the falſe ſerement, whereunto the petty Jury ſhall have no other anſwer (if they be the ſame perſons, and the Writ, Proceſſe, Return, and aſſignment be good) but that they made true ſerement which ſhall be tried by 24 of the Grand Jury, unleſs the Plaintiff hath before been non-ſuit, or diſcontinued his ſuit, or had judgment againſt the ſame Jury for the ſame Verdict.

XXXVIII. Howbeit the Defendants may plead that they gave true verdict, or any other matter which may barr the Attaint: but notwithſtanding ſuch plea, the Grand Jury ſhall nevertheleſs inquire whether the firſt Jury gave a true verdict or no.

XXXIX. If the petty Jury be found to have given an untrue verdict, they ſhall each of them forfeit 20 l. to be divided between the King and the Plaintiff, and incurr ſeveral fines at the diſcretion of the Juſtices, and be ever after diſabled to give teſtimony in any Court.

XL. If the Defendants plea in bar be found againſt him, the Plaintiff ſhall have judgment to be reſtored to that he loſt, with his reaſonable coſts and damages.

XLI. Outlawry or Excommunication ſhall be no plea against the Plaintiff in Attaint; and in the aforeſaid proceſs ſuch day ſhall be given as in dower, but no eſſoign or protection allowed.

XLII. If the Grand Jury appear not, ſo that the petty Jury's verdict remains untried, the defaulters ſhall upon the firſt diſtreſs forfeit 20 s. upon the ſecond 40 s. and upon every defaylt after 5 l. The like penalty is alſo to be inflicted upon the *Tales*.

XLIII. The Attaint is maintainable ſo long as any two of the petty Jury are alive.

XLIV. An Attaint ſhall alſo lie for a perſonal thing under the value of 40 l. in manner aforeſaid; ſave onely that in ſuch caſe the Grand Juror is to have lands worth 5 marks *per annum*, (out of ancient demeſn) or to be worth 100 marks in goods; and the forfeiture of each petty Juror ſhall be but 5 l.

XLV. For want of ſufficient Jurors in one County, a *Tales* ſhall be awarded into another County at the diſcretion of the Juſtices.

XLVI. An Attaint ſhall alſo lie for him in reverſion or remainder

der. And alſo in Attaint if the Plaintiff be non ſuit, or diſcontinue the ſuit, he ſhall be fined at the diſcretion of the Juſtices.

XLVII. All Attaints ſhall be hereafter taken in the Kings Bench or Common Pleas, and not elſewhere; and *Niſi prius* ſhall be granted upon the diſtreſs at the diſcretion of the Juſtices: alſo any of the petty Jury may appear and anſwer by Attorney.

XLVIII. As concerning the forfeitures, the ſeveral moieties ſhall be recovered by the King and parties reſpectively by *Ca. ſa.* or *Fi. fa.* or *Elegit*, or Action of debt againſt each of the petty Jury, their Executors or Adminiſtrators, having then ſufficient goods of the Teſtators not adminiſtred.

XLIX. Judgement and Execution of reſtitution to the Plaintiff, and of dicharge of reſtitution to the Tenant or Defendant, ſhall be given and had, as in caſe of a grand Attaint hath been uſed.

L. The Non-ſuit or releaſe of one Plaintiff ſhall not prejudice his companions.

LI. In every writ of attaint after the *Teſte* theſe words ſhall be inſerted, *Per ſtatutum continuatum uſque annum* 23 H. 8. *Dei gratia*, &c.

LII. This Act ſhall not be prejudicial to the Statute of 11 *H.* 7. 21. but every man for any untrue verdict in *London* may bring an Attaint upon this or that, at his pleaſure.

LIII. **Stat.** 37 *H.* 8. 5. Citizens of *London* being worth 400 marks in perſonal eſtate may be impannelled and returned by the Sheriffs of *London* upon Attaints there, albeit they have no real eſtates, notwithſtanding the Statute of 23 *H.* 8. 3.

LIV. The Juſtices ſhall hereafter ſit upon Attaints in *London* at *Guildhall*, or ſome other convenient place in that City, and not elſewhere; neither ſhall the Citizens there be compellable to appear upon any ſuch Attaint in any other place, notwithſtanding the ſaid Statute of 23 *H.* 8.

Attorney.

I. **Merton**, *Cap.* 10. 20 *H.* 3. Every Free-man that oweth ſuit to the County, Tithing, Hundred or Wapentake, or to a Court-Baron, may make an Attorney to do his ſuit for him.

II. **Weſt.** 2 *Cap.* 10. 13 *E.* 1. Any perſon may make a general Attorney to ſue in all Pleas, during the circuit of Juſtices in Eire: howbeit that ſhall not excuſe the party from being put upon Juries and Aſſiſes before the ſame Juſtices.

III. **Stat.** 7 *R.* 2. 14. They who ſhall depart the Realm with the Kings licence, may before their departure have a Patent from

the Chancellor (with the advice of the Juſtices) inabling them to make general Attorneys to anſwer for them in Writs of *Præmunire facias*, and all other Writs and Plaints; in which Patent particular mention ſhall be made of Writs and Plaints of *Præmunire facias*; and thoſe Attorneys may make Attorneys under them.

IV. **Stat.** 4 *H.* 4. 18. All Attorneys ſhall be examined by the Juſtices, and by their diſcretion put into the Roll.

V. Thoſe that are by them approved ſhall ſwear truly to ſerve in their Offices, and to make no ſuit in a forein County. An inſufficient Attorney ſhall be put out by the like diſcretion of the Juſtices, and their Maſters or Clients ſhall have notice thereof, leſt they be prejudiced thereby.

VI. As any die or ceaſe, the Juſtices ſhall appoint others, being vertuous, learned, and ſworn, as aforeſaid.

VII. If an Attorney be found notoriouſly in fault, he ſhall forſwear the Court, and be never admitted into any other Court.

VIII The Treaſurer and Barons of the Exchequer ſhall purſue the like courſe there at their diſcretion.

IX. **Stat.** 4 *H.* 4. 19. No Officer of a Lord of a Franchiſe which hath return of Writs, ſhall be an Attorney in the ſame.

X. **Stat.** 7 *H.* 4. 13. Impotent perſons that are out-lawed may make their Attorney: Howbeit in the Writ of *Capias ad ſatisfac'* the Common Law ſhall ſtill hold place.

XI. **Stat.** 33 *H.* 6 7. There ſhall be but ſix common Attorneys in *Norfolk*, ſix in *Suffolk*, and two in *Norwich*, if that ſhall ſeem reaſonable to the Juſtices. *But it ſeems the Juſtices did not think it reaſonable, becauſe this Act was never yet put in ure.*

XII. **Stat.** 32 *H.* 8. *ca.* 30. Every Attorney ſhall enter his Warrant of Attorney in every ſuit upon record in Court, on pain of 10 *l.* and further puniſhment by impriſonment at the diſcretion of the Court.

XIII. **Stat.** 3 *Jac.* 7. An Attorney, Sollicitor or ſervant to any, ſhall not be allowed any fees laid out for counſel or otherwiſe, unleſs he have tickets thereof ſigned by the hand of them that receive ſuch fees; and he ſhall alſo give unto his Client true Bills of all the charges of ſuit under his own hand, before he can charge his Client with the payment thereof.

XIV. If he delay his Clients ſuit for gain, or demand by his Bill more than his due fees and diſburſements, the Client ſhall recover againſt him his coſts and treble damages, and he himſelf ſhall be for ever after diſabled from being an Attorney or Sollicitor any more.

XV. None ſhall be admitted Attorneys in Courts of Record, but ſuch

ſuch as have been brought-up in the ſame Courts, or otherwiſe well practiſed in ſolliciting of Cauſes, and alſo skilful and of honeſt diſpoſition, and none but ſuch ſhall be hereafter ſuffered to ſollicit Cauſes in any Court.

XVI. An Attorney ſhall not admit any other to follow a ſuit in his name, in pain that each of them ſhall forfeit twenty pounds to be divided betwixt the King and party grieved.

Avowry.

I. **Stat.** 21 *H.* 8. 19. Upon a Replevin ſued, an Avowry may be made by the Lord, or Conuſance, and juſtification by his Bailiff or Servant, upon the land holden of the ſaid Lord, without naming any perſon certain to be Tenant thereof. The like law is alſo upon every Writ ſued of ſecond deliverance.

II. In any *Replegiare* or ſecond deliverance for rents, cuſtoms, ſervice, or damage feaſant, if the Avowry, Conuſance, or Juſtification be found for the Defendant, or the Plaintiff be non-ſuit, or otherwiſe barred, the Defendant ſhall recover ſuch damages and coſts as the Plaintiff ſhould have had if he had recovered.

III. Both parties ſhall in ſuch Writs have like Pleas, Aid Prayers, and Joynders in Aid, as at the Common Law, notwithſtanding this Act, Pleas of *diſclaimer* only excepted.

Banks.

I. **Magna Charta**, 9 *H.* 3. 15. No Town or Free-man ſhall be diſtrained to make Bridges or Banks, but ſuch as of old time and of right have uſed to make them in the time of King *Henry* our Grandfather.

II. **Magna Charta**, 9 *H.* 3. 14. No Banks ſhall be defended from henceforth, but ſuch as were in defence in the time of King *Henry* our Grand-father, by the ſame places and bounds as in his time.

III. **Stat.** 27 *Eliz.* 24. Juſtices of Peace in *Norfolk* ſhall take order for the repair of Sea-Banks and Sea-works within the ſame County.

IV. Every perſon ſhall be charged towards the repair of Sea-banks, as they are chargeable towards Highwayes.

V. The High-Conſtables ſhall be ſurveyours of that work.

VI. Thoſe charged towards Sea-works ſhall be diſcharged towards the amendment of High-wayes.

Bankrupts.

I. **Stat.** 34 *H.* 8. 4. The Lord Chancellor, Treaſurer, *&c.* ſhall take order with Bankrupts bodies, lands and goods, for the payment of their debts. *But this was altered by the enſuing Statutes.*

II. **Stat.** 13 *Eliz.* 7. If any perſon (Subject or Denizen) exerciſing trade doth depart the Realm, conceal him or her ſelf, take Sanctuary, ſuffer him or her ſelf to be arreſted, out-lawed, or impriſoned without juſt cauſe, to the intent to defraud Creditors, being alſo Subjects born, he ſhall be deemed a Bankrupt.

III. The Lord Chancellor or Keeper, upon complaint in writing againſt any ſuch Bankrupt, may appoint honeſt and diſcreet perſons to take ſuch order with the body of ſuch Bankrupt, whereſoever found, and alſo with the lands (as well Copy as Free,) hereditaments, annuities, offices, writings, goods, chattels, and debts whereſoever known, which the Bankrupt hath in his own right, with his wife, child or children, or by way of truſt to any ſecret uſe; and to cauſe the ſaid premiſſes to be ſearched, rented, appraiſed, and ſold for the payment of the Creditors rateably according to their debts, as in the diſcretion of ſuch Commiſſioners (or the moſt part of them) ſhall be thought fit.

IV. The Vendees of Coppihold-lands ſhall compound with the Lord for their fines, and then ſhall be admitted, and make fealty according to the cuſtom of the Mannor.

V. Such of the Commiſſioners as execute the Commiſſion ſhall (upon the Bankrupt's requeſt) render him an account, and alſo the overplus (if any be) unto him, his Executors, Adminiſtrators or Aſſigns.

VI. The Commiſſioners have power to convene before them any perſon accuſed or ſuſpected to have any of the Bankrupt's goods, chattels or debts, or to be indebted unto him, and for diſcovery thereof, to examine upon oath, or otherwiſe, as they (or the moſt of them) ſhall think fit.

VII. The perſon refuſing in that behalf to diſcloſe or ſwear, ſhall forfeit the double value of the goods, chattels, or debts ſo concealed, to be ordered and imployed by the Commiſſioners, (or the moſt part of them.

VIII. The perſon demanding or detaining any of the Bankrupt's lands, goods, chattels or debts (not juſtly due) ſhall for-

ſeit the double value, to be levied, recovered and employed as aforeſaid.

IX. If after all the creditors are paid out of the Bankrupt's eſtate, and the forfeitures, any ſurpluſage ſhall remain, it ſhall be by the Commiſſioners divided betwixt the Queen, her heirs and ſucceſſors, and the poor of the place where ſuch Bankrupt happens to be.

X. If any perſon indebted abſent himſelf from his uſual place of aboad, upon complaint the Commiſſioners (or the moſt of them) ſhall award five Proclamations to be made upon five ſundry Market-days near the ſaid place, commanding him to render himſelf to the Commiſſioners, or one of them; which if he do not within convenient time, he ſhall be adjudged out of the Queen's protection, and the party wittingly receiving or concealing him ſhall (upon information of the Commiſſioners, or the moſt part of them) ſuffer ſuch impriſonment, and pay ſuch fine, as the Lord Chancellor or Keeper ſhall think fit.

XI. The Creditor not fully ſatisfied by this means, may (notwithſtanding this Act) take his courſe at Law againſt the Bankrupt for the reſidue of his debt.

XII. The eſtate which happeneth to the Bankrupt by purchaſe or deſcent after he becomes a Bankrupt ſhall alſo be extendable by the Commiſſioners, or the more part of them.

XIII. This Act ſhall not extend to annual eſtates of Land (Free or Copy) by him conveyed before he became Bankrupt, ſo that they were ſo conveyed *bonâ fide*, and not to ſuch as were privy to his fraudulent purpoſe.

XIV. **Stat.** 1 *Jac.* 15. Every Subject born, or Denizen, who uſing Trade ſhall depart the Realm, keep houſe, abſent him or her ſelf, take Sanctuary, ſuffer him or her ſelf to be arreſted for debt not juſtly grown due, to be outlawed, impriſoned, fraudulently procure his perſon to be arreſted, or goods attached, depart from home, make any fraudulent grant of lands or goods, with intent to deceive his other Creditors, being Subjects born, or being arreſted lie in priſon ſix moneths or more, ſhall be adjudged a Bankrupt.

XV. The Bankrupt hereby deſcribed ſhall be proceeded againſt as is limited by the *Stat.* of 13 *El.* 7. in like manner as if he had been there ſo fully deſcribed.

XVI. Any Creditor ſhall be received to take his part, if he come in within four moneths after the Commiſſion ſued out, and pay his part of the charge, otherwiſe the Commiſſioners may proceed to diſtribution.

XVII. If a Bankrupt grant his lands or goods, or transferr his debt into other mens names, except to his children upon marriage, (they being of age to consent) or upon valuable consideration, the Commissioners may (notwithstanding) sell them, and such sale shall be good.

XVIII. If upon warning in writing left three times at the most usual place where he dwelt within one year before he became Bankrupt he appear not before the Commissioners, they may cause him to be proclaimed at some publick place or places; and if upon five such Proclamations he yield not himself, they shall by warrant cause him to be brought before them to be examined concerning his estate, &c.

XIX. If the Bankrupt shall refuse to be examined, the Commissioners shall commit him until he conform: or if being examined he commit perjury in prejudice of the Creditors to the value of 10 l. or more, he shall be indicted for the same, and after conviction stand upon the Pillory, and have one of his ears nailed thereto, and cut off.

XX. If any person be known or suspected to detain any of the Bankrupt's estate, and do not appear or send some lawful excuse at the next meeting after warning given him, or appearing, refuseth to be examined upon oath, the Commissioners by Warrant shall cause him to be arrested, and if he still refuse, shall commit him until he submit.

XXI. The witnesses shall have convenient charges allowed them ratably by the Creditors, and such of them as shall be perjured and their procurers shall be indicted upon the Statute of 5 *El.* 9. which see in *Perjury*.

XXII. The forfeitures of this Act shall be recovered by the Creditors, and (the costs of suit deducted) shall be ratably divided amongst them.

XXIII. The Commissioners have power to assign the Bankrupt's debts to the Creditors, and by such assignment they shall be recoverable by the Creditors, as their proper debts.

XXIV. No debtor shall be prejudiced by payment of his debt to the Bankrupt, before he have notice that he is Bankrupt.

XXV. The Commissioners shall make such account to the Bankrupt, and likewise pay him the overplus, as by 13 *El.* 7. is ordained; and the Creditors being all satisfied, the Bankrupt may recover the remaining debts.

XXVI. If any of the Commissioners, or other person imployed by them, be sued for any act done by force of the Commission, the Defendant may plead *Not guilty*, or justify, and the whole mat-

matter ſhall be brought in evidence; according to the very truth thereof; and if the Verdict paſs for the Defendant, he ſhall have his coſts.

XXVII. The Commiſſioners ſhall proceed to execution, notwithſtanding the death of the Bankrupt.

XXVIII. Stat. 21 *Jac.* 19. All Laws made againſt Bankrupts ſhall be beneficially conſtrued for the Creditors.

XXIX. All perſons of Trade, and Scriveners that procure protection, (except of Parliament) and all ſuch as by exhibiting Petitions endeavour to compel their Creditors to take leſs then their due debts, or to gain time for the payment thereof, or being indebted in 100 l. or more ſhall not ſatisfie the ſame within 6 moneths after the ſame grows due, and the debtor arreſted, or within ſix moneths after the original Writ ſued out, and notice given thereof, or left in writing at the place of his abode, or after arreſt lie ſix months in priſon, or eſcape out of priſon, or procure enlargement by putting in common Bail. ſhall be adjudged a Bankrupt; and in caſe of arreſt or impriſonment, from the time of the arreſt.

XXX. Commiſſions and other proceedings provided by 13 *El.* 7. and 1 *Jac.* 15. ſhall be alſo purſued againſt him that is deſcribed to be a Bankrupt by this Act; and proceedings provided by this Act ſhall be purſued againſt him that is deſcribed to be a Bankrupt by 13 *El.* 7. and 1 *Jac.* 15.

XXXI. The Bankrupt's wife ſhall alſo be examined upon oath, and if ſhe appear not, or refuſe to be examined, ſhe ſhall incur the puniſhment inflicted by the former Laws in like caſes.

XXXII. The Bankrupt that fraudulently concealeth his goods, or tendreth not ſome juſt reaſon why he became Bankrupt, ſhall after conviction be ſet upon the Pillory, and loſe one of his ears.

XXXIII. The Commiſſioners may by themſelves or others break open the Bankrupt's houſe, cheſts, *&c.* where his eſtate is, or is reputed to be; and then ſeize and order his body and eſtate, as by the former Laws is ordained.

XXXIV. In the diſtribution of the Bankrupt's eſtate, no more reſpect ſhall be had unto debts upon Judgment, Recogniſances, Specialties with Penalties, or the like, then to other debts.

XXXV. The Commiſſioners may proceed, when the Bankrupt by fraud makes himſelf accomptant to the King.

XXXVI. Another mans goods in the Bankrupt's poſſeſſion and diſpoſition ſhall be alſo diſtributed by the Commiſſioners, as the Bankrupt's own goods.

XXXVII. The Commiſſioners grant of the Bankrupt's entailed

lands

lands ſhall be good, except when the reverſion or remainder is in the King.

XXXVIII. Conditional Eſtates granted by the Bankrupt may be redeemed by the Commiſſioners, and afterwards ſold as his other Eſtate.

XXXIX. No purchaſer ſhall be impeached by this or the former Act, unleſs the Commiſſion be ſued forth within five years after he becomes Bankrupt.

XL. This Act, as alſo all the former, ſhall extend to ſtrangers (both Aliens and Denizens) as well as to Subjects born, as well to be relieved, as alſo to be ſubject to the penalty thereof.

XLI. **Stat.** 14 *Car.* 2. *ca.* 24. Whereas divers Noblemen and Gentlemen, not bred up in trade, have notwithſtanding put great Stocks into the *Eaſt-Indy* and *Guiany* Company, it is declared that no perſons adventurers for putting in Money or Merchandiſe into the ſaid Companies, or for adventuring or managing the fiſhing called the Royal fiſhing Trade, ſhall be taken or reputed a Merchant or trader within any Statutes for Bankrupts, or be liable to the ſame.

XLII. Provided that perſons trading and trafficking in any other way or manner then in the ſaid Companies or Fiſhing ſhall be liable to the Commiſſion of Bankrupts.

XLIII. A Verdict and Judgment againſt Sir *Jo. Wollaſton* as a Bankrupt for trading in the *Eaſt-Indy* Company reverſed and made void. Provided, not to avoid any Sale or diſpoſition of his lands or goods made by vertue of the Commiſſion of Bankrupts.

Barwick.

I. **Stat.** 22 *E.* 4. 8. Merchandiſe carried into or brought out of *Scotland*, or the Iſles thereof, ſhall be firſt brought to *Barwick*, in pain to forfeit the ſame.

II. The Burgeſſes and Free-men of *Barwick* onely ſhall have the ſelling of all Salmon taken in *Tweed*. And the Merchants and Free-men there ſhall have the Farm of the Waters Royal and fiſhings within the Seigniory there.

III. **Stat.** 1 *Jac.* 28. An Act for the Liberties of *Barwick*.

Baſtardy and Baſtards.

I. **Merton**, *cap.* 9. 28 *H.* 3. A child born before marriage is a Baſtard, albeit the common order of the Church be otherwiſe.

II. **Stat.** 9 *H.* 6. 11. No writ ſhall be awarded to the Ordi-

nary

nary to certifie Baſtardy, before three Proclamations be made in Chancery in three months, *viz.* once every month, that all perſons who have any thing to object againſt the party, for Baſtardy ſhall ſue to the Ordinary for that purpoſe.

☞ III. **Stat.** 18 *Eliz.* 3. The two next Juſtices (1. *Qu.*) may take order as well for the puniſhment of the mother and reputed father of a Baſtard-child, as alſo for the relief of that Pariſh where it is born, by charging the ſaid mother and father with the ſuſtentation thereof by payment of money weekly, or otherwiſe.

IV. If the mother or father perform not the Juſtices order therein, they ſhall ſuffer impriſonment without bail, except he, ſhe or they give ſecurity to perform it, or elſe to appear the next Qu. Seſſions, and alſo to abide the order of the greater part of Juſtices there, if any ſhall be there made; if not, then to perform that made by the two Juſtices.

☞ V. **Stat.** 7 *Jac.* 4. Juſtices of Peace ſhall commit to the houſe of Correction lewd women which have Baſtards that may be chargeable to the Pariſh, there to be puniſhed, and ſet on work one whole year: and if they offend again, they ſhall not be enlarged without giving good ſecurity to offend no more.

☞ VI. **Stat.** 21 *Jac.* 27. It ſhall be murther for a mother to conceal the death of her baſtard-child, unleſs ſhe can prove by one witneſs (at leaſt) that it was ſtil-born.

☞ VII. **Stat.** 3 *Car.* 4. All Juſtices of Peace within their ſeveral limits and Seſſ. may do and execute all things concerning that part of 18 *El.* 3. which concerns Baſtards, that by the Juſtices of P. in the ſeveral Counties are by the ſaid Statute limited to be done.

VIII. Baſtards maintenance by the putative fathers and mothers: *See Title* Poor, *n.* XLVIII.

Battail and Grand Aſſiſe.

I. **Weſt.** 1 *Cap.* 40. 3 *E.* 1. Part of the oath in a Writ of right, or the Demandants Champion, expunged.

Beaupleader.

Wetton, *Cap.* 11. 52 *H.* 3. **Weſt.** 1 *cap.* 8. 3 *E.* 1. & 1 *E.* 38. No fines ſhall be hereafter taken in Circuits, Counties, Hundreds, or Court-Barons, for fair pleading.

Bene-

Benevolence.

I. Stat. 13 *Car.* 2. *ca.* 4. A free and voluntary present to his Majesty, with power to issue Commissions for receiving subscriptions, upon which Process for levying the same shall not issue but within two years after this Act. No person not being a Peer may subscribe above 200 l. nor any Peer above 400 l. And no Commission on this Act to be of force after the 24 of *June* 1662.

II. Declared, that no Commission or aids of this nature can be issued or levied, but by authority of Parliament.

See Title Taxes, &c.

Bishops and Bishopricks.

I. Stat. 1 *E.* 3. *Stat.* 2. *cap.* 2. The King shall not cause to be seised into his hands the Temporalties of any Bishop.

II. Stat. 14 *E.* 3. *Stat.* 3. *pro Clero, cap.* 3. The Temporalties of Bishops or other people of Holy Church shall not be seised into our hands without just cause.

III. Stat. 25 *E.* 3. *Stat.* 3. *pro Clero, cap* 6. A Bishop's Temporalties shall not be seised into the Kings hands for a contempt, but he shall hereafter in such case pay a reasonable fine.

IV. Stat. 26 *H.* 8. 14. *Thetford, Ipswich, Colchester, Dover, Gilford, Southampton, Taunton, Shaftesbury, Molton, Marlborough, Bedford, Leicester, Gloucester, Shrewsbury, Bristol, Penreth, Bridgewater, Nottingham, Grantham, Hull, Huntington, Cambridge, Peveth, Barwick, St. German's* in *Cornwall*, and the *Isle of Wight*, shall be Sees of Bishops Suffragans, and the Bishops of such Sees shall be called Suffragans of this Realm.

V. The Bishop shall by Petition present to the King two persons to be his Suffragans, whereof the King shall allow one, who shall thereupon be called Bishops-suffragan of that See, and shall by the Kings Letters Patents be presented to the Arch-bishop of the respective Province to be consecrated to the dignity of that Office, which the Arch-bishop shall do within three months after the receit of such Letters Patents.

VI. The Suffragan shall not exercise any greater authority, nor make any other benefit, than what is limited unto him by Commission from the Bishop of the Dioces, in pain to incurr a *Præmunire*.

VII. The Suffragan himself, or the Bishop that presents him to the King, shall at their own costs provide two Bishops or Suffra-

gans

gans to conſecrate the Suffragan with the Arch-Biſhop.

VIII. The Suffragan's reſidence over the Dioceſs ſhall be ſufficient for his benefice, and a Suffragan may have two benefices with Cure.

IX. **Stat.** 1 *E.* 6. 2. The Writ of *Congé d'elire* ouſted, and none but the King (by his Letters Patents) ſhall collate to an Arch-biſhoprick or Biſhoprick.

X. An Arch-Biſhop, Biſhop or Suffragan collated by the King ſhall pay all uſual Fees.

XI. All Proceſs Eccleſiaſticall ſhall be in the King's name, but the *Teſte* in the name of the perſon having Eccleſiaſtical Juriſdiction; and when they iſſue from the Commiſſary, Official, or other Subſtitute, he ſhall ſubſcribe his name after the *Teſte*.

XII. The ſeal of Office belonging to any ſuch perſon ſhall have the King's Arms engraven upon it, with Characters under them to notifie the Dioceſs, and he ſhall not uſe any other Seal, in pain of impriſonment during the King's pleaſure.

XIII. Provided, that no more or other Fees be taken for ſuch Seal then as before; and that the Arch-Biſhop of *Canterbury* may uſe his own ſeal and name for Faculties and Diſpenſations, according to the Statute of 25 *H.* 8. 21. and alſo that Arch-Biſhops and Biſhops may make and order their Subſtitutes, and may alſo iſſue Commiſſions of Suffragans, Certificates to the Court of Tenths, Collations, Preſentations, Gifts, Inſtitutions, Inductions, Letters of Order or Dimiſſories under their own names and Seals, as in times paſt.

XIV. Certificates into a Court of Record ſhall be in the King's name, under the Biſhop's Seal, engraven with the King's Arms, as aforeſaid, *Teſte* the Biſhop.

XV. *But note that this Statute was repealed by* 1 M. 2. *and that Act of* M. *is afterwards repealed by* 1 Jac. 25. *Yet* quære *whether that Statute* 1 E. 6. 2. *be now in force.*

XVI. **Stat.** 3 *E.* 6. 1. The form of conſecrating Biſhops and Prieſts is eſtabliſhed, being compriſed in a book compiled by ſix Prelates, and ſix other appointed by the King; *which Statute ſee in* Service and Sacraments.

But note that this Act was alſo repealed by 1 M. 2. *as the other next before.*

XVII. **Stat.** 1 and 2 *P.* & *M.* 8. All Biſhops are confirmed. *Which ſee in* Rome.

XVIII. **Stat.** 8 *Eliz.* 1. The Statute of 1 *El.* 1. touching the book of Common Prayer and Adminiſtration of the Sacrament is confirmed.

XIX.

XIX. The Statute of 5 and 6 *E.* 6. 1. touching the form of conſecrating Arch-biſhops and Biſhops, and the making of Prieſts, Deacons and Miniſters, and all acts done concerning the conſecrating of Biſhops by force of the Queen's Commiſſion, are alſo confirmed.

XX. Provided that no perſon ſhall be impeached by any Certificate of any Biſhop heretofore made, touching the oath of Supremacy made 1 *El.* 1.

XXI. What Leaſes made by Biſhops be good, *See title* Leaſes, *num.* 9.

XXII. Stat. 39 *El.* 8. Deprivations of Biſhops and Deans in the beginning of the Queens Reign ſhall be good; and ſuch as have been made ſince the Queens time ſhall be lawful.

XXIII. Stat. 1 *Jac.* 3. All aſſurances of Biſhops lands to the King ſhall be void.

See Titl. Courts and Juriſdictions Eccleſiaſtical.

Books and Images.

I. Stat. 25 *H.* 8. 15. None ſhall buy books to ſell again, which are brought from beyond Sea ready bound, in pain to forfeit for every book 6 s. 8 d.

II. None ſhall buy of a ſtranger (that is no Denizen) any printed books brought from beyond Sea, except in groſs upon the like pain.

III. The forfeitures ſhall be levied of the buyers, and divided betwixt the King and the Proſecutor.

IV. The prices of books increaſed to unmeaſurable rates ſhall be qualified by the Chancellor, Treaſurer, and two chief Juſtices, or any two of them.

☞ V. Stat. 3 and 4 *E.* 6. 10. Popiſh books are aboliſhed, and Images taken out of or yet remaining in Churches ſhall be deſtroyed: But Quære, *whether this Statute be in force, becauſe repealed by* 1 M. 2. *For albeit* 1 M. *afterwards be repealed by* 1 Jac. 25. *yet becauſe the Statute of* E. 6. *was once repealed, and not ſince revived by ſpecial words, it may be doubted whether it be now in force.*

VI. Stat. 14 *Car.* 2. *ca.* 33. An Act for preventing the abuſes in printing ſeditious, treaſonable and unlicenſed Books and Pamphlets, and for regulating Printing and Printing-preſſes: the ſaid Act to continue for 2 years from the 10th. of *June* 1662. and no longer.

VII. Stat. 16 *Car.* 1. *ca.* 6. The Act for preventing the abuſes

ſes in printing ſeditious and unlicenced books and pamphlets, &c. continued until the end of the next Seſſion of Parliament.

VIII. Stat. 16 and 17 *Car.* 2. *ca.* 7, continued until the end of the next Seſſion of Parliament.

IX. Stat. 17 *Car.* 2. *ca.* 4. *apud Oxon.* The Act for preventing abuſes in Printing Seditious, Treaſonable and Unlicenſed Pamphlets, and for regulating Printing, continued in force until the end of the firſt Seſſion of the next Parliament.

X. And further, that after the 26 of *September* 1665. every Printer within *London*, or any other places, except the two Univerſities, ſhall reſerve three printed Copies of the beſt and largeſt Paper of every book new printed or reprinted with additions, and ſhall before any publick ſale of the ſaid book, bring them to the Maſter of the Company of Stationers, and deliver them to him; one whereof ſhall within ten days after be delivered to the Keeper of his Majeſties Library, and the other two within the ſaid ten days to be ſent to the Vicechancellors of the two Univerſities reſpectively, for the uſe of their Publick Libraries.

XI. And the Printers in the ſaid Univerſities reſpectively after the ſaid 26*th.* of *Sept.* ſhall deliver one ſuch printed Copy as aforeſaid, ſo new printed or reprinted in the ſaid Univerſities, to the Keeper of the Kings Library as aforeſaid, as alſo to the Vicechancellors of either of the ſaid Univerſities for the time being, two other ſuch printed Copies for their publick reſpective Libraries: And for default of ſo doing by the Printer or Maſter of the Company of Stationers to forfeit beſides the value of the ſaid printed Copyes 5 *l.* for every Copy not ſo delivered: The ſame to be recovered by his Majeſty, his Heirs and Succeſſors: And by the Chancellor, Maſters and Schollars of the ſaid Univerſities reſpectively by Action of Debt, Bill, Plaint or Information in any of his Majeſties Courts of Record at *Weſtminſter*.

Bows and Bow-ſtaves.

I. Stat. 12 *E.* 4. 2. Four Bowſtaves ſhall be brought into this Realm for every Tun of Merchandiſe brought in by any Merchant ſtranger from any place from whence Bowſtaves have been formerly brought, in pain of 6. s. 8. d. for every Bowſtave whereof default is ſo made.

II. Search and ſurvey ſhall be made of ſuch Bow-ſtaves by the head-Officer where the Ship, *&c.* lands, who ſhall have power to appoint Officers for that purpoſe.

III. Stat. 1 *R.* 3. 11. Ten Bow-ſtaves ſhall be brought into this

this Kingdom for every Butt of Malmſey or Tyre, in pain of 13 l. 4. d. for every Tunn.

IV. Bowſtaves ſhall not be ſold ungarbled, but to a Subject born.

☞ V. Stat. 8 *Eliz.* 10. A Bowyer dwelling in *London*, or the ſuburbs, ſhall have always ready 50 Bows of Elm, Witch-haſel, or Aſh, well made and wrought, in pain of 10 s. for every Bow failing of that number, to be divided betwixt the King and the proſecutor, who muſt be an Armourer, Fletcher or Bow-ſtring-maker.

VI. No Bowyer ſhall ſell a Bow of outlandiſh Elm of the beſt ſort for above 6 s. 8. d. of the ſecond ſort above 3 s. 4 d. and of the worſt ſort above 2 s. nor one made of *Engliſh* Elm above 2 s. in pain to forfeit for every Bow otherwiſe ſold 40 s. to be divided betwixt the King and any of the aforeſaid Artificers that will ſue for the ſame.

* VII. Stat. 13 *Eliz.* 14. The Statute of 12 *E.* 4. confirmed.

VIII. All Merchant-ſtrangers bringing wares from the Eaſt-parts, as well as from the 27 Hanſe-Towns, ſhall be bound by the ſaid Statute of 12 *E.* 4. 2. under the pains therein contained, to be divided betwixt the King and the proſecutor.

Braſs, Laten, Copper, Bel-metall, Pewter, &c.

* I. Stat. 19 *H.* 7. 6. None ſhall ſell or change Braſs ſave onely in open Fairs and Markets, or in their own houſes, (except they be deſired by the buyer of ſuch wares) in pain of 10 l.

II. None ſhall caſt, or work braſs or pewter, but according to the goodneſs of metal wrought in *London*, in pain to forfeit the one moiety thereof to the King, and the other to the finder.

III. Hollow ware of pewter, called Lay-metall, ſhall be wrought after the aſſiſe of Lay-metall in *London*, and ſhall be marked, in pain to forfeit the ſaid wares, or (being ſold) the price thereof, which ſhall be divided as aforeſaid.

IV. None ſhall uſe (in the ſelling of braſs or pewter) any falſe beams or weights, in pain to forfeit 20 s. to be divided as above; and in caſe he be not able to pay it, he ſhall be (by the Head-officer) committed to the ſtocks, till the next Market-day, and then ſtand upon the Pillory.

V. Searchers of braſs and pewter in every City and Borough ſhall be appointed by the Head-officers of the ſame, and in every County by Juſtices of Peace, at their *Mich.* Seſſ. and in default of ſearchers in Cities and Boroughs, any other perſon (skilful in that Myſtery) by over-ſight of the Head-officers may take upon him the

the ſearch of defective braſs, which ſhall be equally divided as aforeſaid.

VI. Stat. 4 H. 8. 7. The Stat. of 19 H. 7. 6. is confirmed: And beſides, it is enacted, that in Cities and Boroughs ſearch of defective tinn and pewter ſhall be made by the Wardens of the Craft of Pewterers; and in Towns where no Wardens are, ſearchers ſhall be appointed by the Head-officers there, which ſaid defective ware ſhall be forfeited, and divided, as in the former Statute.

VII. Stat. 25 H. 8. 9. None ſhall buy, or take by way of exchange, any wares made of tinn or pewter out of the Realm, in pain to forfeit them, and alſo the value thereof in money.

VIII. Officers may ſearch and ſeize wares brought into this Realm, contrary to this Act.

IX. No ſtranger born ſhall work any pewter or tinn in *England*, in pain to forfeit the ſame.

X. No Pewterer ſhall teach his Trade in a forein Nation, in pain to loſe the priviledge of an *Engliſhman*.

XI. Licenſes and Placards to wandring Braziers and Pewterers ſhall be void.

XII. The penalty of 10 l. mentioned in 19 H. 7. 6. and thoſe likewiſe of this preſent Act, ſhall be equally divided betwixt the King and the finder.

XIII. Stat. 33 H. 8. 4. The Statute of 25 H. 8. 9. is made perpetual.

XIV. None ſhall withſtand the ſearch of braſs, tinn, pewter, &c. in pain of 5 l. to be divided as in the former Statute.

XV. Stat. 33 H 8. 7. None ſhall convey out of this Realm Braſs, Copper, Laten, Bell-metal, Pan-metal, Gun-metal, or Shreoff-metal, clean and mixed (Tin and Lead onely excepted) in pain to forfeit the double value, to be divided betwixt the King and the proſecutor.

XVI. The landing thereof in forein parts ſhall be tried and determined in the County where it was ſhipped.

XVII. None ſhall tranſport ſuch metall from one part of the Realm to another, before he hath acquainted the Cuſtomer where the Ship is with the true weight thereof, and alſo give him bond to the King's uſe of the double value thereof, with condition to land it in ſome part of the Realm, in pain to forfeit the ſame; in manner and form aforeſaid; and ſhall alſo, within eight moneths after, bring from the Cuſtomer of the place where he lands it a certificate of the landing thereof, which Cuſtomer ſhall give him or his Factor ſuch certificate without delay.

XVIII. The falſe Cuſtomer that makes a falſe certificate in ſuch caſe ſhall loſe his place, and the value of the goods ſo concealed.

XIX. If the goods be diminiſhed by tempeſt, enemies, or pirates, upon due proof thereof made to the Cuſtomer by the party, his executor, or, *&c.* his bond ſhall be re-delivered, or otherwiſe diſcharged.

XX. **Stat.** 2. and 3 *E.* 6. 37. The penalty of 10 l. for every thouſand weight is added to the forfeiture of the double value of metall tranſported contrary to the *Stat.* of 33. *H.* 8. 7.

XXI. Alſo 10 l. for every thouſand weight ſhall be added to the double value of the goods, and the total thereof put into the Bond to be made to the Cuſtomer, according to the *Stat.* of 33 *H.* 8. 7. which Bond if it want a date, the Cuſtomer ſhall forfeit his place, and the value of the goods ſhipped.

XXII. If any Officer of the Ship ſuffer any ſuch metall to be ſhipped, and do not diſcloſe it within three days, he ſhall forfeit the double value thereof; or if any Cuſtomer or ſearcher have notice thereof, do not ſeiſe it to the King's uſe, he ſhalll loſe his office, and the value of the metall.

XXIII. None ſhall lade ſuch metall but where there is a Cuſtomer, in pain to forfeit 10 l. and the metall.

XXIV. The forfeitures are to be divided betwixt the King and proſecutor.

XXV. The Statute of 33 *H.* 8. 7. in all points not altered by this is confirmed.

Breakers of Leagues and Truce.

I. **Stat.** 2 *H.* 5. 6. In every port (beſide the Cinque-ports) there ſhall be a Conſervator of the Truce, worth in land 40 l. *annum* at leaſt, who, by the King's Letters Patents and the Admiral's Commiſſion, ſhall have power to enquire of (by inqueſt) and to inflict puniſhment for offences done upon the Sea againſt Truce and falſe conducts, in like manner as the Admirals have heretofore uſed to doe: Howbeit, the death of a man is reſerved to the Admiral.

II. The Conſervator hath power to award proceſſes againſt the offenders, (*viz.* *Capias* and *Exigent*) wherein the additions of the parties indicted ſhall truly be inſerted; and alſo by himſelf or his Lieutenant to hear and determine differences betwixt party and party concerning Truce and falſe conducts.

III. The Conſervator ſhall have two men learned in the Law joyned in Commiſſion with him as his aſſociates, and both he and they

ſhall be ſworn to take no fee, gift, &c. ſave of the King onely; and if any be offered them, that they forthwith diſcover it to the King or his Chancellor, in pain of impriſonment and fine.

IV. The Conſervator ſhall be reſident upon the place where he is appointed Conſervator, and ſhall have for his fee 40 l. *per annum* at leaſt; and a Seal of the King's proper for his Office.

V. Every Maſter of a Ship (and Owner too, if he be preſent) ſhall before he departs the Ports be ſworn before the Conſervator, not to attempt any thing againſt the Truce, and the Conſervator ſhall record the name of ſuch Maſter and Owner, and alſo of the Ship, together with the number of the Mariners: and if they take any thing from the Enemy, the Conſervator ſhall be acquainted therewith before diſcharge or ſale, if for ſome reaſonable cauſe the Ship entred not ſome other Port; then they muſt procure from the Conſervator there a teſtimonial under Seal of the goods taken, and their value to be ſhewed to the Conſervator of the Port from whence they firſt came. And all this they muſt doe, in pain to forfeit the Ship, and ſuffer impriſonment untill they make fine and ranſom to the King.

VI. Provided, that no poſſeſſor of a Ship ſhall ſuffer impriſonment, or make fine, unleſs he was preſent in the Ship when the offence was committed.

VII. The Admiral ſhall have all forfeitures out of the Cinque-ports, as before hath been uſed.

VIII. Conſervators to be made within the Cinque-ports by the King's Letters Patents and the Warden's Commiſſion ſhall alſo have like power within that Franchiſe, and the Warden ſhall have the forfeitures there, as in times paſt: Howbeit the death of a man is reſerved to the Warden.

IX. **Stat.** 4 *H.* 5. 7. If any with whom Truce is broken at Sea complain thereof to the Keeper of the Privie Seal, he ſhall have Letters of Requeſt under the Privie Seal; and if thereupon the offender makes not reſtitution, he ſhall have Letters of Mart granted him under the Great Seal.

X. **Stat.** 14 *E.* 4. 4. The former Statutes are confirmed.

☞ Bridges.

I. **Stat.** 1 *H.* 8. *ca.* 9. An Act for *Staines* Bridge, *Comitat. Middleſex.*

II. **Stat.** 8 *H.* 6. 28. An Act for the making *Burford* and *Culhamford* Bridges.

III. **Stat.** 22 *H.* 8. 5. Four Juſtices (1 *Quor.*) ſhall in Seſſions

inquire, hear and determine the annoiances of Bridges, and of the High-waies adjoining within 300 foot next unto the ſaid Bridges, and ſhall alſo charge ſuch as ſhould repair them by ſending forth proceſſes, and ſetting pains, as they ſhall think fit.

IV. When it cannot be known what Precinct ſhall repair a Bridge or Way, they ſhall be repaired by the County, Riding, or Corporation, within which they are ſituate, and if they happen to be ſituate in two of ſuch Precincts, the inhabitants there ſhall repair their ſeveral parts reſpectively.

V. The ſaid four Juſtices have power to call before them the Conſtables, or two able men of every Pariſh, and by their aſſent to make a tax, and to appoint Collectors to levy the ſame by diſtreſs and ſale, and alſo to appoint Surveyors of ſuch decayed Bridges and Wayes, unto whom the Collectors ſhall pay the money levied; which ſaid Collectors and Surveyors ſhall render an account unto the ſaid Juſtices, upon pain of impriſonment without bail.

VI. The Juſtices may in this caſe ſend proceſs out of their juriſdiction, which the Officers to whom it is directed ſhall obey and ſerve, in pain to be fined by the ſaid Juſtices.

VII. This Act ſhall not extend to the five Ports, nor to the members of the ſame: ſave onely that their Officers ſhall have ſuch power to reform annoyances of Bridges and Wayes there, as the Juſtices of Peace have elſewhere by force of this Act.

VIII. The Juſtices ſhall allow to the Collectors and Surveyours their reaſonable charges.

IX. **Stat.** 18 *Eliz.* 17. A good Law for the maintenance of *Rocheſter* bridge in *Kent*. See the Statute.

X. **Stat.** 18 *Eliz.* 20. An Act for the repair of bridges and high-ways within one mile of *Oxford*. See it at large.

XI. **Stat.** 23 *Eliz.* 11. An Act for the re-edifying and maintenance of the bridges over *Toffe*, near *Cardiff*, in the County of *Glamorgan* in South-*Wales*.

XII. **Stat.** 27 *Eliz.* 25. Another Act for the repair of *Rocheſter* bridge.

XIII. **Stat.** 39 *Eliz.* 23. An Act for the making and repairing of *Newport* and *Carlion* bridges over the River *Usk*.

XIV. **Stat.** 39 *El.* 24. An Act for the building of a Bridge at *Wilton* upon *Wye*, in the County of *Hereford*, near *Roſs*, and what Pontage ſhall be there taken.

XV. **Stat.** 43 *Eliz.* 16. An Act for the erecting and repairing of *Eden* and *Preſberk* bridges in *Cumberland*.

XVI. **Stat.** 3 *Jac.* 23. An Act for new making and repairing of *Chepſtow* bridge.

XVII.

XVII. Stat. 3 *Jac.* 24. An Act for the building of *Upton* bridge over *Severn* in *Worceſter-ſhire* within three years. *Exp.*

XVIII. Stat. 14 *Car.* 2. *ca.* 6. A clauſe for repairing and maintaining a bridge called *Foot-bridge*, in ſtead of another called *Ry-bridge* in *Wiltſhire*.

XIX. *Proviſo*, touching *Stratford* bridge in *Hallingdon* in the County of *Suſſex*.

XX. Surveyors of the high-ways are too ſee that all Bridges have ſufficient walls, poſts or rails four foot high.

Brokers.

* I. Stat. 1 *Jac.* 21. The ſale of goods wrongfully gotten to any Broker in *London*, *Weſtminſter*, *Southwark*, or within two miles of *London*, ſhall not alter the property thereof.

II. If a Broker, having received ſuch goods, ſhall not upon the requeſt of the true owner truly diſcover them, how and when he came by them, and to whom they are conveyed, he ſhall forfeit the double value thereof to the ſaid owner.

III. This Act ſhall not prejudice the ancient Trade of Brokers in *London*, being ſelected and ſworn for that purpoſe; it being onely intended againſt Fripers and pawn-takers, who for the moſt part keep open ſhop.

Burning of Carts and Wood, cutting Dams, Heads of Ponds, Conduits, Pipes, Tongues, and Ears, and Barking of Trees.

* I. Stat. 37 *H.* 8. 6. If any maliciouſly and willingly cut the head of a Pond, burn a Cart laden, a heap of wood prepared for coal, cut out the tongue of any tame beaſt being alive, or the ear or ears of any perſon, or bark any fruit-tree; for every ſuch offence, he ſhall loſe treble damages to the party grieved, and pay 10 l. to the King.

Butchers.

* I. Stat. Of Bakers and Brewers, *cap.* 7. 31 *E.* A Butcher that ſells Swines-fleſh mezeled, or dead of the murrain; for the firſt offence he ſhall be amerced, for the ſecond have the Pillory, for the third be impriſoned and make fine, for the fourth abjure the Town.

II. **Stat.** 4 *H.* 7. 3. No Butcher shall kill any flesh in his Scalding-house, or within the walls of *London*, in pain to forfeit for every Ox so killed 12 d. and for every other beast 8 d. to be divided betwixt the King and the prosecutor.

III. The same Law shall extend to all other walled Towns, and to *Cambridge*, *Barwick* and *Carlile* onely excepted.

*IV. **Stat.** 15 *Car.* 2. *cap.* 8. No person using the trade of a Butcher shall at any time after *Michaelmas* next sell, offer or expose to sale, by himself or any servant or agent, any fat Oxen, Steers, Runts, Kine, Heifers, Calves, Sheep or Lambs alive upon pain of forfeiture of double the value thereof, one moiety to the King and his heirs, the other moiety to him who shall sue for the same in any of his Majestie's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be allowed.

See more under the Title of Calves *and* Cattel : *And see* Tanner *n.* 25. *Also see Title* Victuallers.

Butler of the King.

I. **Stat.** 25 *E.* 3. *cap.* 21. The Steward of the house and Treasurer of the Wardrobe shall give notice how much wine shall be taken by the Butler or his Lieutenant in every Port, which number shall not be exceeded.

II. A Certificate shall be made by the Mayor and Bailiffs there, under their seals, by Indenture betwixt them and such takers of wine to the said Steward and Treasurer, how much wine is so taken.

III. If the Butler, or his Lieutenant take more wine, or any reward, or delay any by colour of his office (as by arrest) he shall forfeit double damages to the party grieved, lose his office, be imprisoned, and be ransomed at the King's will.

* IV. **Stat.** 43 *E.* 3. 3. The King's Butler or his Lieutenant shall take no more wine then he shall be commanded, in pain to be imprisoned, and ransomed at the King's will: and after ten days the merchant may sell the residue, notwithstanding their arrest.

☞ Butter and Cheese.

I. **Stat.** 3 *H.* 6. 4. The Lord Chancellor may grant licence under the Great Seal to any to convey Butter and Cheese to any other place besides the Staple, which then was of *Calais*.

II. **Stat.** 18 *H.* 6. 3. Butter and Cheese may be conveyed to any place out of the Realm (being in the King's amity) without licence.

* III.

* III. Stat. 3 and 4 *E.* 6. 21. None (except Inholders and Victuallers in their houses) shall buy any Butter or Cheese to sell again, save only by retail in open Shop, Fair or Market; and so, not above a Wey of Cheese or a Barrel of Butter at one time, without fraud, in pain to forfeit the double value, to be divided betwixt the King and the Prosecutor.

* IV. Stat. 21 *Jac.* 22. The Statute of 3 and 4 *E.* 6. 21. and so much of the Statute of 5 and 6 *E.* 6. 14. as concerns the buying and retailing Butter and Cheese, (which see in *Forestallers*) shall not extend to the retailers of Cheese in *London*, *Westminster*, or *Southwark*, having served seven yerrs in that Trade, nor uttering above four wey of Cheese, or four barrels of Butter at one time, without fraud.

V. Justices of Peace in Sessions have power to restrain the retailing of Butter and Cheese, during which restraint, those that retail shall be liable to the penalties of 3 and 4 *E.* 6. 21. and 5 and 6 *E.* 6. 14.

* VI. Stat. 14 *Car.* 2. *ca.* 26. Every Kilderkin of Butter shall contain 132 pound, the Cask 20 l. the Firkin 56 of good butter, the Pot 14 pound, besides the Casks and Pots; and Farmers shall use no fraudulent dealings in packing, weighing with unwarrantable weights, mixing old, bad and decayed butter with new, or whey butter, or unreasonably salting the same, and a cask of butter shall be of the same sort, upon pain of forfeiture of the value of the butter false packed, and six times the value of what shall be wanting in weight.

VII. Cheesemongers and others selling butter shall deliver the full quantity of Kilderkins, Firkins, Casks and Pots, and the due quality thereof: and none shall repack butter for sale, upon forfeiture of the double value for such repacking.

VIII. Farmers and others shall pack their butter in sufficient and well-seasoned Casks, which shall be marked with the first letters of the Christian-names and Surnames of the sellers, and the weight of the butter, upon penalty of forfeiture of 10 s. for every 100 weight of butter not so marked.

IX. Potters shall mark their pots with their names, and the weight of the pot, and set the first letter of their Christian name and Surname at length, upon pain for every default 12 d. and farmers shall not sell butter packed in other pots, upon pain of 2 s. for every default.

X. Offences against this Act shall be heard and determined in the Sessions of the Peace for the County, City or Liberty where committed, by action of Debt, Indictment, Information or Presentment;

ſentment: and one half of the penalty to the poor of the Pariſh where the offence is committed, to be paid to the Church-wardens or Overſeers, the other half to the Proſecutor.

XI. All Suits upon this Act ſhall be commenced within four months after the ſale of ſuch butter.

Cables, Halſors, and Ropes.

I. **Stat.** 21 *H.*8. 12. AN Act for true making of Cables, Halſors, and Ropes in *Burport*, and within five miles thereof. *See the Statute at large.*

* II. **Stat.** 35 *Eliz.* 8. None ſhall make, or cauſe to be made, any Cables of old ſtuff, which ſhall contain ſeven inches in compaſs, in pain to forfeit four times the value of every Cable ſo made: neither ſhall any tar, or cauſe to be tarred, any Halſers, or other Cordage made of old ſtuff, being of leſſer Aſſiſe, nor put the ſame to ſale; in pain to forfeit the treble value of every ſuch Cable, Halſor, or other Cordage of leſſer Aſſize then ſeven inches made and tarred as aforeſaid.

III. The ſaid forfeitures are to be divided betwixt the Queen and the proſecutor.

☞ Calves and other Cattel.

I. **Stat.** 3. and 4 *E.* 6. 19. No Cattel ſhall be bought but in open Fair or Market, and thoſe not ſold again in the ſame Fair or Market, in pain to forfeit the double value.

II. No Butcher ſhall buy any Cattel, and ſell the ſame again alive, in pain to forfeit them.

* III. **Stat.** 2. and 3 *P.* and *M.* 3. He that keepeth above 120 ſheep or 20 beaſts upon every paſture-ground apt for Milch-kine, and not commonable, ſhall yearly for every 60 ſheep, or 10 beaſts, keep one Milch-cow, and for every 120 ſheep, or 20 beaſts, rear up one Calf, in pain to forfeit for every Cow or Calf not ſo kept or reared 20 s. *viz.* the one half to the King and Queen, and the other to the proſecutor, if he commence his ſuit within one year after the offence committed.

IV. Juſtices of Peace in Seſſ. have power to hear and determine the breach of this Statute.

V. This Act ſhall not bind ſuch as keep ſheep or feed beaſts only for their own proviſion.

VI. **Stat.** 7 *Jac.* 8. The Statute of 2 and 3 *P.* and *M.* 3. ſhall alſo extend to grounds, which ſince the ſaid Act have been or ſhall be made ſeveral. *See more Title* Butchers.

Cambridge and Cambridge-ſhire.

I. **Stat.** 34, 35 *H.* 8. 24. An Act for the aſſurance of certain lands to *John Hinde* (then Serjeant at Law) and his heirs, paying yearly 10 l. toward the charges and wages of the Knights of the Parliament for *Cambridge-ſhire* for ever.

II. **Stat.** 35 *H.* 8. 15. An Act for paving the ſtreets in *Cambridge*. *See theſe Statutes at large.*

☞ Captains and Souldiers.

I. **Stat.** 5 *R.* 2. 10. The Covenants of ſuch as ſhall ſerve the King in his Wars or Embaſſies ſhall be recorded in the Exchequer, as alſo the repeal of their retinue, to the end a juſt account may be thereupon had, if need be.

*II. **Stat.** 18 *H.* 18. No Captain ſhall detain any part of his Souldiers wages, in pain to forfeit to the King 20 l. for every Spearman, and 10 l. for every Bow-man.

III. Howbeit, if they have been waged half a year, the Captain may detain 10 s. for the gown of a Gentleman, and 6 s. 8. d. for that of a Yeoman.

*IV. **Stat.** 18 *H.* 6. 19. It is felony for a Souldier (retained to ſerve the King in his Wars) not to go with, or to depart from his Captain without licence.

V. Officers ſhall arreſt Souldiers, who within the term limited come on this ſide the Sea without letters teſtimonial of their Captain, and ſhall retain them until the cauſe of their return be tried.

VI. Juſtices of peace have power to hear and determine thoſe offences. *Vide Co.* 6. 27.

VII. **Stat.** 7 *H.* 7. 1. A Captain which ſhall not have the whole number of his ſouldiers, or not pay them their due wages within ſix dayes after he ſhall have received them, ſhall forfeit all his goods and chattels, and ſuffer impriſonment.

VIII. It is felony for a ſouldier retained, to depart from his colours without licence, for which he ſhall not enjoy the benefit of his Clergy.

IX. Juſtices of the Peace have power to enquire, hear, and determine

termine of this offenſe of departing without licence, and the trial thereof ſhall be in the ſame County where the ſouldier is apprehended.

X. This Act ſhall not be prejudicial to Captains when ſouldiers die, or otherwiſe depart without any defalt of theirs, ſo that they therewith acquaint (at land) the Treaſurer of the wars within ten daies after, or (at Sea) the Admiral at their next meeting with him. *But, Quære, whether this Statute ſurvived H, 7,*

XI. **Stat.** 3 *H.* 8. 5. This Act is in all parts the ſame with 7 *H.* 7. 1. ſave onely, that it ſhall not extend to Captains and ſouldiers in *Barwick, Wales, Calice,* or other places in *France,* nor to Captains having under them retinue of ſouldiers, or for non-payment of the King's wages to Captains, houſhould-ſervants. *Quere alſo, whether this ſurvived H,* 8,

*XII. **Stat.** 2 and 3. *E.* 6. 2. A ſouldier that makes away his horſe or arms (proof thereof being made before the chief Commander) ſhall ſuffer impriſonment without bail, untill he hath ſatisfied the party at whoſe charge he was ſent out.

XIII. If ſuch a ſouldier eſcape from the Army without puniſhment, he ſhall be liable to the ſame, to be inflicted upon him by any Juſtice of Peace in thoſe parts where he ſhall be apprehended, unleſs he bring ſufficient teſtimony from the Commander, that the horſe or arms were otherwiſe loſt, or imployed in the King's ſervice.

XIV. It is felony (without benefit of Clergy) for a ſouldier retained, to depart without licence of his Commander, whereupon Juſtices of Peace may proceed as in caſe of felony.

XV. The Commiſſioner or Captain that licenſeth any perſon retained, and aſſumeth another for gain, or which giveth to any licence to depart without warrant from the Commander, ſhall forfeit 20 l. to the King for every perſon ſo let go.

XVI. The Lieutenant-General, or other Officer, that receives more wages for ſoldiers then there is cauſe, and doth not every moneth (by a note in writing) acquaint the Treaſurer of the Army with every ſouldier's entry into pay, death, or departure, ſhall forfeit 5 l. to the King, ſuffer one moneth's impriſonment, and loſe his place.

XVII. None but the Commander ſhall licenſe any, in pain of impriſonment both of the licenſer and licenſed, at the diſcretion of the ſaid Commander.

XVIII. The Lieutenant-General ſhall command this Act to be proclaimed in the Army once every moneth, and every Governour in his fortreſs once every three moneths.

XIX.

XIX. Every perſon which ſhall inform the Lieutenant of any of theſe offences, ſhall have a months pay belonging to him that is faulty.

XX. This Act ſhall not prohibit officers to retain yearly 6 s. 8 d. for the Coat of a Yeoman, and 12 s. 4 d. for the Coat of a Gentleman; neither ſhall it be prejudicial unto them, when the lack of ſouldiers is not through their default, nor when they have under them a retinue of ſouldiers, or for non-payment of the Kings wages to their houſehold-ſervants; neither ſhall it extend to prohibit relief of tenants or friends toward ſervice in war, or the detaining of Souldiers wages upon lawful cauſes.

☞ XXI. Stat. 43 *E.* 3. The more part of the Juſtices of P. yearly in their *Eaſter*-Seſſ. have power to charge every Pariſh towards a weekly relief of maimed Souldiers and Mariners, ſo that no Pariſh pay weekly above 10 d. nor under 2 d. nor any County which conſiſts of above 50 Pariſhes pay above 6 d. one Pariſh with another; which ſums ſo taxed ſhall be aſſeſſed in every Pariſh by the Pariſhioners, or (in their default) by the Church-wardens and Conſtables, or (in their default) by the next Juſtice or Juſtices of Peace.

XXII. The Conſtables and Church-wardens of every Pariſh have power to levy the tax of every perſon refuſing to pay it, by diſtreſs and ſale, and (in their default) the ſaid Juſtice or Juſtices next adjoyning.

XXIII. The Tax being thus levied, the Conſtables and Church-wardens ſhall deliver it quarterly (ten daies before every Quarter-Seſſ.) to the High-Conſtable of their Diviſion, who ſhall deliver it over to the Treaſurers of the County at the ſame Quarter-Seſſions.

XXIV. The Treaſurers ſhall be Subſidy-men, *viz.* of 10 l. in land,, or 15 l. in goods, and ſhall not continue in their office above one year, rendring up their accounts yearly at *Eaſter*-Seſſions, or within ten daies after, to their Succeſſors.

XXV. The Officer, his Executors, *&c.* that fails in payment of the ſums levied ſhall forfeit, *viz.* the Church-wardens or Conſtables 20 s. and the High-Conſtables 40 s. which the Treaſurers have power to levy (by diſtreſs and ſale) in augmentation of their ſtock.

XXVI. The Treaſurer (or his Executor, *&c.*) that hath been negligent to execute his office, or to render an account within the time above limited, ſhall be fined by the Juſtices of Peace in the Seſſ. 5 l. at leaſt.

XXVII. The maimed Souldier or Mariner which was preſt, ſhall

ſhall repair (if he be able to travel) to the Treaſurers of the County where he was preſt; if he were not preſt, then to the Treaſurers of the County where he was born, or where he laſt dwelt by the ſpace of three years, at his election: but if he be not able to travel, then to the Treaſurers of the County where he lands.

XXVIII. He ſhall bring to any of the Treaſurers aforeſaid a Certificate under the hand and Seal of the chief Commander, or of the Captain under whom he ſerved, containing the particulars of his hurts and ſervices; which Certificate ſhall be alſo allowed by the Muſter-maſter, or the Receiver-General of the Muſter-rolls under one of their hands.

XXIX. Upon ſuch a Certificate, the Treaſurers aforeſaid may allow him relief to maintain him until the next Quarter-Seſſions, at which the more part of the Juſtices may allow him a penſion, which the Treaſurers ſhall pay him quarterly, until it ſhall be revoked or altered by the ſaid Juſtices: And this allowance to him that hath not born Offices ſhall not exceed 10 l. to an Officer under a Lieutenant 15 l. to a Lieutenant 20 l.

XXX. When Souldiers or Mariners arrive far from the place where they are to receive relief, the Treaſurers there ſhall give them relief and teſtimonial, whereby they may paſs from Treaſurer to Treaſurer, until they ſhall come to the place required; and this ſhall be done upon the bare Certificate of the Commander and Captain, although they have not as yet obtained any allowance thereof from the ſaid Muſter-maſter, or Receiver general of the Muſter-rolls.

XXXI. The Treaſurers ſhall regiſter their Receits and Diſburſments, and enter the names of the parties relieved, and alſo the Certificate by warrant whereof the diſburſments are made; the Muſter-maſter alſo or Receiver aforeſaid ſhall Regiſter the names of the parties, and the Certificates by him allowed: and the Treaſurer returning or not allowing the Muſter-maſter's Certificates, ſhall thereupon ſubſcribe or endorſe the cauſe of his allowance.

XXXII. Juſtices of Peace in Seſſ. have power to fine a Treaſurer that wilfully refuſeth to give relief, which any two of them (appointed by the reſt) may levy by diſtreſs, and ſale of goods.

XXXIII. A Souldier or Mariner that begs, or counterfeits a Certificate, ſhall ſuffer puniſhment as a common Rogue, and ſhall loſe his penſion if he have any.

XXXIV. The ſurpluſage of this contribution ſhall be employed by the more part of the Juſtices in Seſſions upon charitable uſes, according to the Statutes made for relief of the poor and puniſhment of Rogues.

XXXV. In Corporations, the Juſtices there ſhall put this Act in execution, and not the Juſtices of the County, and ſhall be liable to fines, as well as other Juſtices, if they miſuſe their power therein, and ſhall appoint a Collector of this Tax, which ſhall have the power and be ſubject to the penalties limited (by this Act) to High-Conſtables of the Counties.

XXXVI. The forfeitures accruing by this Act ſhall be imployed as the ſurpluſage aboveſaid, or otherwiſe kept in augmentation of the ſtock, as the more part of the Juſtices in Seſſions ſhall direct.

XXXVII. When out of the County where the party was preſt a fit penſion cannot be ſatisfied, it ſhall be ſupplied by the Counties where he was born, or where he laſt dwelt by the ſpace of 3 years.

XXXVIII. This Act ſhall not prohibit the City of *London* to make a Tax (if need require) differing from that above limited; ſo that no Pariſh pay above 3 s. weekly, nor above or under 12 d. weekly one Pariſh with another.

XXXIX. **Stat.** 13 *Car.* 2. *ca.* 6. The command and diſpoſing of the *Militia*, and 14 *Car.* 2. *ca.* 3. all the forces by Sea and Land, and Forts and places of Strength, declared to be in the King: and neither or both Houſes of Parliament can or ought to pretend any power to levy War offenſive or defenſive againſt the King, his Heirs or lawful Succeſſors.

Provided this Act be not taken to extend to give or declare any power for tranſporting or compelling any of the ſubjects to march out of this Kingdom, otherwiſe than by the Laws thereof ought to be done.

XL. **Stat.** 14 *Car.* 2. *ca.* 3. The ſame again declared, and that the King, his Heirs and Succeſſors may iſſue forth Commiſſions of Lieutenancy for the ſeveral Counties and places of *England* and *Wales* and town of *Berwick* upon *Tweed*, impowering them to call together perſons, and them to arm and form into Regiments, and lead and conduct and employ them as his Majeſty ſhall direct, as well within the ſeveral Counties and places where they be commiſſionated, as into other Counties, for ſuppreſſing all Inſurrections, Rebellions, and Invaſions.

XLI. The Lieutenants impowered to commiſſionate Officers, and to preſent the names of ſuch perſons as they ſhall think fit to be Deputy-Lieutenants, and upon the Kings approbation to give them Deputations accordingly; which his Majeſty, his Heirs or Succeſſors may notwithſtanding diſplace.

XLII. In abſence of the Lieutenants, the Deputy-Lieutenants

or

or any two of them may train, exerciſe and lead perſons ſo armed to the intents hereafter expreſſed.

XLIII. The Lieutenants or Deputy-Lieutenants the major part of them, being 3 at leaſt, may charge perſons with horſe or foot-arms, where their eſtates lie, not exceeding the limitations in the Act, *viz.*

1. None to be charged with horſe unleſs he have a revenue of 500 l. *per annum*, or 6000 l. in goods or money.

2. None to be charged with foot-arms not having 50 l. *per annum*, or 600 l. in goods; nor ſhall he be charged with horſe and foot in the ſame County.

3. None that find or contribute towards a horſe ſhall find any foot-arms, and two or three may be joyned in finding an horſe-arms.

4. No perſon not having 100 *l. per annum* ſhall be contributary to a horſ-arms.

5. The Lieutenants and Deputy-Lieutenants or any three of them impowered to hear and redreſs complaints, and examine witneſſes upon oath.

6. Two ſhillings *per diem* ſhall be allowed an horſe, and 12 d. *per diem* a foot-ſouldier.

7. The Lieutenants or any three Deputy-Lieutenants may ſet rates for furniſhing ammunition or other neceſſaries, not exceeding in any one year a fourth part of 70000 l.

8. In caſes of Invaſion or Inſurrection every ſouldier is to be provided of one months pay; but no perſon to be charged further, until the ſaid months pay be reimburſed him.

9. Lieutenants, Deputy-Lieutenants and Chief-officers may charge horſes, carts and carriages for ammunition, allowing 6 d. a mile to every cart with 5 horſes, and 1 d. the mile for a horſe.

10. Mutineers may be puniſhed by mulcts, not exceeding 5 s. or impriſonment, not exceeding 20 days,

11. The Lieutenants or 3 Deputy-Lieutenants may impoſe and levy penalties not exceeding 20 l. upon every perſon that ſhall imbezil arms untill ſatisfaction; and fine any horſe-armesnot appearing upon ſummons 20 s, and any foot-arms 10 s, and upon perſons charged and not ſending in their horſes upon ſummons 5 l. to be levied by diſtreſs and ſale of the offender's goods.

12. And for diſcovering the abilities of perſons chargeable and miſdmeanours in hinderances of the ſervice, the Lieutenants or any 3 Deputies may examine any perſon upon oath, other then the parties aſſeſſed and accuſed.

XLIV.

XLIV. The Lieutenants may appoint Treaſurers and Clerks, who are to account for money received every ſix months, and to certifie the ſame to the Kings Privy councel, and duplicates thereof to the Quarter-Seſſions.

XLV. Deputy-Lieutenants ſhall obey and execute the directions of the Lieutenants.

XLVI. The Lieutenants or any two Deputy-Lieutenants may imploy any perſons, with the aſſiſtance of a Commiſſion Officer and Conſtable or other Pariſh-officer, to ſearch for and ſeize arms in the cuſtody of any perſon whom they ſhall think dangerous to the peace of the Kingdom: but no ſearch to be made in any houſe in the night (other than in Cities and Towns corporate by warrant ſpecially directing the ſame;) and no dwelling-houſe of any Peer to be ſearched but by warrant under the Kings ſign manual, or in preſence of the Lieutenant or Deputy-Lieutenant of the ſame County: and the arms ſeiſed to be reſtored again, if it ſhall be thought fit.

XLVII. High-Conſtables and all other officers to be aiding and aſſiſting to the Lieutenants and Deputy-Lieutenants, and to be ſaved harmleſs and indemnified for ſo doing.

XLVIII. Perſons charged to find arms in Counties where they reſide not, ſhall not have notice ſent to their tenants or ſervants there, who ſhall ſpeedily thereof inform their maſters or land-lords, and bring an account thereof to the Deputy-Lieutenants: And upon neglect or refuſal of the Land-lord, the Tenants ſhall provide arms, and do as the Land-lord ought to have done: and if the Tenants refuſe or make default, the penalties of this Act to be levied upon them. And ſuch Tenants may defalk for ſuch moneys as they expend for providing arms out of their Rents, unleſs the default and penalty were occaſioned by their own neglect.

XLIX. Peers acting as Lieutenants or Deputy-Lieutenants ſhall before they act take the Oaths of Allegiance and Supremacy, before ſix of the Privy Councel, and the Oath following.

I A. B. do declare and believe that it is not lawful upon any preſence whatſoever to take arms againſt the King; and that I do abhor that traiterous Poſition, That arms may be taken by his Authority againſt his Perſon, or againſt thoſe that are commiſſioned by him in purſuance of ſuch military Commiſſions: So help me God.

L. Perſons under the degree of Peers, before they act as Lieutenants

tenants or Deputy-Lieutenants, ſhall take the Oaths of Allegiance and Supremacy and the aforeſaid Oath before the Lieutenant or ſome Juſtice of the Peace of the reſpective Counties and places where they act. And the Lieutenant or any two Deputy-Lieutenants in their abſence are enabled to adminiſter the ſaid Oaths to the ſaid Officers and Souldiers.

The Trained-bands diſcharged.

LI. Times of training and exerciſing ſhall be as followeth.

1. The General muſter and exerciſe of Regiments not above once a year.

2. Taining and exerciſing ſingle Companies not above 4 times a year, unleſs upon ſpecial direction by the King or Privy Councel; and the ſame not to continue above two daies.

3. At General Muſters and Exerciſe of Regiments none ſhall be conſtrained to ſtay above 4 days from their habitations.

LII. At every Muſter and Exerciſe every Musketeer ſhall bring half a pound of Powder, every Horſeman a quarter of a pound, at the charge of the Perſons finding the ſaid Souldiers.

LIII. The Arms and Furniture of an horſe offenſive and defenſive ſhall be, *viz.* Defenſive arms; A Back, Breaſtplate and Pot, the Breaſtplate and Pot Piſtol-roof. Offenſive arms; A Sword and Caſe of Piſtols, the barrels not under 14 inches in length. Furniture of a horſe; A great Saddle-Pad with burrs and ſtraps to affix the holſters unto, a bit and bridle with a pectoral and crupper.

LIV. Foot-Arms; A Musket, the barrel not under 3 foot in length, and the bore for 12 bullets in the pound, a coller of bandeliers and ſword.

LV. Pike-arms; A Pike of Aſh, not under 16 foot long, with a back, breaſt, head-piece and ſword.

LVI. The *Militia* of the Iſle of *Purbeck* to remain ſeparate from the County of *Dorſet*, and the Lieutenants and Deputy-Lieutenants there to exerciſe the ſame powers as in the ſaid County.

LVII. *Proviſo*, impowering the King, in caſe of dangers, during the ſpace of 3 years from the 25 of *June* 1662. to raiſe money for defraying the charge and ſecuring the Nation, the ſaid ſumm not exceeding 70000 l. in one whole year.

LVIII. *Proviſo*, That none be compelled to ſerve in perſon finding one ſufficient man qualified according to the Act: And perſons liſted ſhall not be changed or deſert the ſervice without leave, upon pain of 20 l. to be levied by diſtreſs, and for want of diſtreſs, by impriſonment of the party offending.

LIX. *Proviſo*, Not to put any new charge upon the Tinners in

Corn-

Cornwall: But the Lord Warden of the Stannaries and his Deputies, by the Kings Commiſſion, may exerciſe the ſame powers for arraying, aſſeſſing and arming, as others, obſerving the cuſtomes and privileges of the Stannaries.

LX. *Proviſo*, The *Militia* of *London* may continue to liſt the Trained-bands and Auxiliaries by the Kings Commiſſion: and that his Majeſties Lieutenants for the ſaid City by his warrant may aſſeſs and levy for defraying charges any ſumm yearly not exceeding the proportion which the City payeth to the tax of 70000 pound *per menſem*, and to be accountable as in this Act mentioned.

LXI. *Proviſo*, That no Officer or Souldier of the *Militia* or Trained-bands of Cities, Boroughs or Corporations, or Ports, be compellable to appear out of the Liberties thereof at any Muſter or exerciſe only, and they are to be chargeable with the uſual number of Souldiers, unleſs the Lieutenants find cauſe to leſſen the ſame.

LXII. *Proviſo*, Not to avoid any Covenant between Land-lord and Tenant concerning finding horſes or arms, or bearing the charges, taxes or rates for the ſame.

LXIII. *Proviſo*, That this Act ſhall not alter the manner of raiſing horſe or foot in the Iſle of *Wight*, but the ſame to continue as now uſed and practiſed there.

LXIV. *Proviſo*, That none be compelled to march out of this Kingdom, or be tranſported beyond the Seas, otherwiſe then by the law of this Kingdom ought to be done.

LXV. *Proviſo*, That no Peer be charged with horſe or foot ſouldiers or arms, but by Commiſſion to ſo many Peers (not fewer than 12) as the King ſhall appoint under the great Seal, (except the monthly taxes to be levied as before in this Act) which Peers or any 5 of them ſhall have power to execute this Act in all things, except impriſonment of the perſon of any Peer: and the Aſſeſsment laid and penalties impoſed ſhall be certified to the Lieutenants of the reſpective Counties, and the penalties levied by diſtreſs and ſale of the goods of ſuch Peer or his Tenant, who may deduct the ſame out of his next rent.

LXVI. **Stat.** 12 *Car.* 2. *ca.* 16. All Officers and Souldiers of the Army disbanded, that were in ſervice under General *Monk* 25 *April* 1660. and inſtrumental in his Majeſties reſtauration, may exerciſe trades, ſuch as have deſerted the ſaid ſervice or refuſe the Oath of Allegiance excepted: *Vid. the Act and Proviſo's at large.*

LXVII. **Stat.** 14 *Car.* 2. *ca.* 8. An Act for diſtribution of

60000 l. amongſt the truly loyal and indigent Commiſſion-Officers of his Majeſty and the late King, and for aſſeſſing of Offices, and diſtributing the moneys thereby raiſed for their ſupply. *Vid. the ſaid Act, and the Act of Explanation thereof*, 15 Car. 2. cap. 3. Stat. 3.

LXVIII. **Stat.** 14 *Car.* 2. *ca.* 9. Officers, ſouldiers and mariners maimed, indigent and aged, which continued faithful to the King, and the Widows and Orphans of ſuch as have died in the King's ſervice, ſhall be provided for by penſions or otherwiſe by the Juſtices of the Peace in every County. *See the Statute at large.*

LXIX. **Stat.** 15 *Car.* 2. *ca.* 4. **Stat.** 3. For better ordering the forces in the ſeveral Counties of this Kingdom. The ſeveral Lieutenants nominated by his Majeſty, his Heirs and Succeſſors, within their limits, and in their abſence their Deputy-Lieutenants, or any two of them, may lead and exerciſe, or by warrants under their hands and ſeals cauſe to be led or put in readineſs, all perſons raiſed, arraied or weaponed according to the ſaid Act, and this Act.

LXX. All perſons charged, upon pain of forfeiting 5 s. ſhall pay and allow 2 s. 6. d. by the day to every trouper for maintenance of the man and horſe; and upon pain of 2 s. ſhall allow 1 s. by the day for ſo many daies as they ſhall be abſent by occaſion of Muſter, unleſs agreement be made to the contrary: the ſaid penalty to be paid to the Souldier to whom ſuch pay is denied, to be demanded within 6 weeks after default, or at or before the next Muſter, and not afterwards.

LXXI. If any perſons charged according to the ſaid Acts refuſe or neglect, by a reaſonable time to be appointed, to provide and furniſh Foot-ſouldiers and Arms as charged upon them, the Lieutenants and Deputy-Lieutenants, or any 3 of them, may inflict a penalty not exceeding 5 l. for every ſuch offence, to be levied as followeth, and imployed to the ſame uſes in default whereof the ſame was impoſed.

LXXII. The Lieutenants and Deputy-Lieutenants, or any 3 of them, may appoint the Conſtables of every Pariſh to provide (upon penalties not exceeding 40 s. for every omiſſion) ſo many ſufficient Foot-arms (with wages and other incidents) as they ſhall think fit, according to the rules and proportions of the ſaid Acts, upon revenues under 50 l. *per annum*, and perſonal eſtates under 600 l. within their Pariſhes.

LXXIII. If any perſon charged ſhall refuſe or neglect to find a Foot-ſouldier, or pay him according to the rate ſigned by the Lieutenants, Deputy-Lieutenants, or any 3 of them, the Conſta-

bles by warrant for that purpoſe may levy the ſame by diſtreſs and ſale of the offender's goods, reſtoring the overplus, the charges of diſtraining deducted: and the Tenant may pay the ſame for any Land-lord, and deduct the ſame out of his Rent: and in default the Tenant's goods may be diſtrained and ſold for the ſame.

LXXIV. Once in every year every Souldier ſhall pay the Muſter-maſter ſuch ſumm (not exceeding 1 s. an horſe-man, and 6 d. a Foot-ſouldier) as the Lieutenants or Deputy-Lieutenants or any 3 of them under their hands and ſeals ſhall direct, which may be levied by diſtreſs and ſale: and every Muſter-maſter ſhall be an Inhabitant of the reſpective County.

LXXV. Every Musketier ſhall bring to every Muſter half a pound of powder and half a pound of bullets, and if ſerving with a match-lock, 3 yards of match, and every horſe-man a quarter of a pound of powder, and as much of bullets, at the charges of the perſons charged with the ſaid horſe or foot-arms, upon pain of 5 s. for every omiſſion thereof.

LXXVI. The Lieutenants or Deputy-Lieutenants, or any 3 of them, may for 3 years from the 24 of *July* 1663 ſummon and continue together the ſaid trained forces ſo long as they ſhall judg convenient, in lieu of certain daies appointed for muſters by the ſaid Act, entitled An Act for ordering the Forces in the ſeveral Counties of this Kingdom.

LXXVII. Provided, any Troop or Company may be kept upon ſuch duty by vertue hereof 14 daies and no longer in any one year.

LXXVIII. Provided, every commiſſioned Foot-officer in the Trained bands or *Militia* be excuſed from finding and contributing for horſe and foot-ſouldier and arms for his whole eſtate, if he be charged but with one horſe, &c.

LXXIX. Each Conſtable or other officer upon pain of 40 s. by vertue of any Warrant to them from the Deputy-Lieutenants or any three of them ſhall levy all arrears and proportions of money unpaid, charged for raiſing of forces as aforeſaid, by vertue of the ſaid Act, by diſtreſs and ſale of the offenders goods.

LXXX. Every Trooper and foot-ſouldier ſhall be ſubject to ſuch exerciſe and duty as others charged by the ſaid Act, and obſerve order upon like pains and penalties for any offences, and to be levied by the ſame waies and means as in the ſaid Act.

LXXXI. The Lieutenants and Deputy-Lieutenants or any 3 of them may diſpoſe of ſo much of the fourth part of one moneths aſſeſsment, mentioned to be levied by the ſaid Act yearly, to the inferiour officers for their pains, as to them ſhall ſeem expediant.

LXXXII. Every perſon ſued for any thing done in execution of this Act may plead the general iſſue, and upon non-ſuit or diſcontinuance of the Plaintiff recover double coſts: and no action ſhall be brought againſt any ſuch, unleſs laid in the proper County, and commenced within ſix moneths after cauſe of action.

LXXXIII. All forfeitures, penalties and payments in caſe of defaults may be levied and recovered by warrants under the hands and ſeals of the Lieutenants and Deputy-Lieutenants, or any 3 of them, by ſale of the goods of the offenders, and for want of goods by impriſonment until ſatisfaction.

LXXXIV. All perſons which ſince the 25 of *March* 1662. have acted or done any thing in diſmantling of any Cities or Towns, or demoliſhing of walls, or relating thereunto, are indemnified.

LXXXV. No perſon who hath an Eſtate of 200 l. *per annum*, or perſonal eſtate of 2000 l. ſhall be charged towards finding any foot; and any perſon who hath 100 l. *per annum*, and under 200 l. *per annum* or a perſonal eſtate of 1200 l. and under 2000 l. may be chargeable towards horſe or foot as the Deputy-Lieutenants or any three of them ſhall think fit: this not to extend to Cities, Corporations and Port-towns.

LXXXVI. Provided, the Warden of the Cinque-ports and their members, in abſence of the Lieutenants and Deputy-Lieutenants, may execute this Act: and the members thereof not to be charged for their eſtates lying out.

LXXXVII. *Proviſo*, as in the former Act, touching the Pariſh of *St. Martin* called *Stamford Baron* in the Borough of *Stamford*, *Com. Lincoln.*

LXXXVIII. Seamen. *Vid.* Ships, *num.* 83.

Captives.

I. Stat. 16. 17 *Car.* 24. An Act for the relief of them taken by Turkiſh, Mooriſh and other Pirates, and to prevent the taking of other in time to come. *See the Stat. at large.*

Caſtles and Fortreſſes.

I. Magna Charta, 19. No Conſtable of Caſtle, or his Bailiff, ſhall take proviſion of a ſtranger without ready money; and one that dwelleth where the Caſtle is ſhall be paid for it within fourty dayes.

II. **Magna Charta**, 29. A Knight ſhall be freed from Caſtlegard doing the ſervice by himſelf or another, or being with the King in his Hoſt.

III. **Mirth.** 1. 8. 3 *E.* 1. No Conſtable or Caſtellane ſhall exact any thing of any, but ſuch as reſide in their Town or Caſtle, unleſs it be an ancient price due to the King, Caſtle, or Lord of the Caſtle.

Certificate of the cauſe of Attainder, &c.

I. **Stat.** 34 *H.* 8. 14. The Clerks of the Crown, Aſſiſe and Peace, ſhall certifie unto the King's Bench the tenor of every Indictment, Outlawry or Conviction and Clerks Attaint had before them reſpectively for any felony or other offence, and that within 40 days next after ſuch attainder, conviction or outlawry, if it be Term-time; otherwiſe, within 20 dayes after the beginning of the Term next following the 40 dayes; and ſhall alſo deliver a tranſcript of the indictment to the Ordinary to whom the perſon attainted is committed: and all this in pain of 40 s. to the King and proſecutor. *But note, that the tranſcript to the Ordinary need not now, ſince the Statute of* 18 *Eliz.* 7. *which ſee after in* Clergy.

II. The Clerk of the Crown ſhall receive ſuch certificates, in pain of 40 s. for every one refuſed.

III. When the indictment containeth more names then are convict, a tranſcript containing onely the names of ſuch as are convict ſhall ſerve.

IV. The Clerk of the Crown being ſent to by the Juſtices of Goal-delivery or Peace for the name of any perſon ſo convict and certified, ſhall without delay ſend a certificate thereof, in pain of 40 s.

V. No certificates out of *Wales*, *Cheſter*, *Lancaſter*, *Durham*.

Ceſſavit.

I. **Glouceſter**, *cap.* 4. 6 *E.* 1. If a free-fermer ceaſe to pay his rent two years together, the Leſſor ſhall have a *Ceſſavit* againſt him and recover the land, unleſs before Judgment he pay the arrearages and give ſecurity to pay duly for the future.

II. **Merth.** 2 *cap.* 21. 13 *E.* 1. A *Ceſſavit* by the Chief Lord againſt his Free-hold tenant that ceaſeth *per biennium*.

III. A *Ceſſavit* is maintainable by the heir of the Demandant againſt the heir or aſſigne of the Tenant.

Challenge.

I. Stat. *De Inquiſ.* 33 *E.* 1. If one challengeth a Juror for the King, he ſhall forthwith aſſign the cauſe, which ſhall be preſently tried by the diſcretion of the Juſtices.

II. If he alledge not a good cauſe, or it go againſt him, the Inqueſt ſhall be forthwith taken.

III. Stat. 7. *H.* 7. 5. *Riens dicus le Garde* ſhall not be admitted for challenge in *London*.

IN. Stat. 33 *H.* 8. 23. Peremptory challenge ſhall not be admitted in caſes of High Treaſon or miſpriſion of Treaſon.

V. Stat. 1 *E.* 6. 12. All Statutes made during the Reign of H. 8. touching challenges and forein pleas are confirmed.

Champerty.

I. Magn. 1. 25. 3 *E.* 1. No Officer of the King ſhall maintain plea of lands or other things, to have part thereof, or other profit by Covenant between them made, in pain to be puniſhed at the King's will.

II. Weſt. 1. 49. 13 *E.* 1. The Chancellor, Treaſurer, Juſtices, or any of the King's Councel, Clerks of Chancery, Exchequer, or of any Juſtice or other Officer, or any of the King's houſe, Clerk or Lay, ſhall not receive any Church or Advouſon, Land or Tenement in fee, by gift, by purchace, to farm, by Champerty or otherwiſe, ſo long as the ſame thing is in plea, nor ſhall take any reward thereof, in pain to be puniſhed at the King's will, both buier and ſeller.

III. Stat. 20 *or* 21 *E.* 1. *made at Barwick*. The attainted of Champerty ſhall ſuffer three years impriſonment, and be fineable at the King's will: where you have alſo the form of a Writ for remedy thereof to be iſſued out, by *Gilbert de Thornton*.

IV. Artic. ſuper Chart. 11. 28 *E.* 1. None ſhall take upon him a buſineſs in ſuit with an intent to have part of the thing ſued for, neither ſhall any upon any ſuch Covenant give up his right to another, in pain that the taker ſhall forfeit to the King ſo much of his lands and goods as do amount to the value of the part ſo purchaſed for ſuch maintenance, to be recovered by any that will ſue for the King in the Court where the plea hangeth.

V. This ſhall not prohibit any to take counſel at Law for the fee, or of his parents or friends.

VI. Stat. 33 *E.* 1. *Anno Domini*. 1304. Champertors are ſuch as

to move pleas and ſuits, or cauſe them to be moved, either by themſelves or others, and proſecute them at their own charge, to have part of the thing in variance, or part of the gains.

VII. **Stat.** *33 E. 1. Anno Domini* 1305. None of our Court, of Pleaders, Attorneys, Stewards, Bailiffs or any other, ſhall take any plea or ſuit to Champerty, or for maintenance; in pain that they together with the conſenters thereunto ſhall ſuffer three years impriſonment, and be fined at the King's will. *See alſo there the form of a Writ for the ſame purpoſe, and alſo againſt Conſpirators.*

Chancery, Maſters in Chancery.

I. **Artic. ſuper Chart.** 5. 28 *E.* 1. The Chancellor and the Juſtices of his Bench ſhall follow the King, to the end he may have always near him ſuch as be learned in the Laws, to order matters that ſhall come to the Court.

II. **Stat.** *36 E.* 3. 9. Whoſoever findeth himſelf grieved with any Statute ſhall have his remedy in the Chancery.

III. **Stat.** *Car.* 2. *not printed.* The office of the Maſters in Chancery being of very ancient inſtitution and neceſſary attendance for diſpatch of buſineſs in the Court, and being thought more proper and ſafe for the ſubject in general, that *Affidavits*, Anſwers, Recogniſances and acknowledgments of Deeds ſhould be in ſome publick place, then in private ſtudies and houſes as formerly, and for the juſt incouragement of the ſaid Maſters, for their attendance and ſupport in due diſcharge of their places; enacted, that one publick office be kept, and no more, near the Rolls, in which the ſaid Maſter, ſome or one of them, ſhall conſtantly attend, for the adminiſtring of oaths, caption of deeds and recogniſances, and diſpatch of all matters incident to their office (References upon accounts and inſufficient anſwers onely excepted) from 7 a clock in the morning until 12 at noon, and from 2 in the afternoon until 6 at night: and the ſaid Maſters may demand and take the Fees following, *viz.*

For every *Affidavit* or oath taken in the ſaid office, 12 d.

For every bill of Coſts to be taxed by them for the Plaintiff's not putting in his bill, or not proceeding to reply, or for the Defendant's not appearing in due time, 2 s. 6 d.

For the acknowledgement of every deed to be enrolled, 2 s.

For the caption of every recogniſance, 2 s.

For every exemplification examined by two of the ſaid Maſters, to each of the ſaid Maſters who ſhall examine the ſame, for every

skin of parchment so examined. 2 s.

For every Report or Certificate to be made in pursuance of any order made upon hearing of the cause, 20 s.

And for every other Certificate or Report of any other made upon petition or motion onely, 10 s.

To be paid by the party that takes out the Report or Certificate.

And if any master directly or indirectly receive any money, fee, reward or promise otherwise or for any other matter in this Act then as aforesaid, every such Master, after legal conviction, to be disabled from the execution of his office, and forfeit to the party grieved so much money as he shall take contrary to this Act, and moreover 100 l. one moiety to the King, and the other to the party grieved that shall sue for the same.

And several Tables of the said Fees to be set up in the said office and in the Chappel of the Rolls, that all parties may take notice thereof. *See* Clerks of the Chancery.

Chelsey.

1. Stat. 7 *Ja.* 6. A College shall be erected at *Chelsey*, and a trench shall be made to convey water from the river of *Lee* to *London* to maintain the same.

Chester and Cheshire.

1. Stat. 1 *H.* 4. 18. If any inhabitant of the County of *Chester* commit murther or felony in another County, process shall be made against him to the *Exigent* in the County where the offence was done, and if he then flie into *Cheshire*, the *Exigent* or *Outlawry* shall be certified to the Officers of *Cheshire*, who shall thereupon take the offender, and seize his lands and tenements, and goods and chattels, for the Prince's use; the King shall also have his year, day and waste; likewise his lands and goods in other Counties shall remain forfeit to the King and other Lords, having thereof Franchise. The like process and proceeding shall be also had against the offender in battery or trespass so committed, and his goods and chattels shall be forfeited to the King, Prince or Lords respectively, as aforesaid.

☞ II. Stat. 27 *H.* 8. 5. Justices of the Peace, *Quorum* and Goal-delivery, are to be nominated and made in *Chester* and *Wales* by the Lord Chancellor, or Keeper of the Great Seal of *England*, in like manner as within the Realm of *England*: which Justices shall certifie their extracts, and the severall Sheriffs make their

their accounts, as in the ſaid Statute is directed.

III. The Juſtices and Clerks of the Peace ſhall have like fees as in *England*, and inferiour Officers ſhall be attendant to the Juſtices.

☞ IV. **Stat.** 32 *H.* 8. 43. Seſſions ſhall be kept by the Juſtices for the time being in the County of *Cheſter* twice in the year only, *viz.* at *Michaelmas* and *Eaſter*-Seſſions; and the old order of keeping the County-daies ſhall ceaſe.

V. **Stat.** 33 *H.* 8. 13. The Sheriff of the County of *Cheſter* ſhall keep his County-Court monthly in the Shire-Hall of the ſaid County.

VI. The Juſticer or his Deputy may keep their two Seſſions at what time of the year they pleaſe, ſo they cauſe them to be proclaimed 15 days before.

VII. **Stat.** 34 *H.* 8. 13. The County of *Cheſter* ſhall have two Knights, and the City of *Cheſter* two Burgeſſes for the Parliament.

VIII. No Writ of Courſe in the nature of a Protection ſhall be granted in the County Palatine of *Cheſter*.

IX. **Stat.** 2 *E.* 6. 31. All Recogniſances of Statutes-Merchant, *&c.* acknowledged before the Mayor of *Cheſter* ſhall be good in Law.

X. **Stat.** 43 *Eliz.* 15. Fines may be levied before the Mayor of the City of *Cheſter* for lands lying there.

XI. A *Dedimus poteſtatem* may be granted by the Mayor of *Cheſter* to take the acknowledgement of a fine.

XII. Howbeit, Fines taken before the Mayor may (upon errour) be reverſed before the High Juſtice of the County Palatine of *Cheſter*.

Chimney-money. *Vid. Title* King, *n.* 8.

Chirographers.

I. **Stat.** 2 *H.* 4. 8. The Chirographer or his Deputy ſhall take but 4 *s.* for a fine, in pain to forfeit his Office, be judged before the Court, ſuffer a years impriſonment, and pay treble damages to the party grieved, to be recovered before the Juſtices of the ſame Court.

Churches and Chappels.

I. An Act for Uniting Churches and Chappels in Towns Corporate. *See* 17 *Car.* 2. *cap.* 3. *apud Oxon.* Church-

Church-yard.

I. Stat. *Ne rectores proſternant Arbores in cœmiterio*, 35 E. 1. Parſons of Churches ſhall not cut down trees growing in the Church-yards, unleſs for the neceſſary repair of the Chancel, or (in charity) of the body of the Church.

See Title Fighting *and* quarrelling. *And ſee* Arreſts, *num.* 1, 2 & 3.

Citation.

I. Weſt. 2. 43. 13 E. 2. Hoſpitallers and Templers ſhall draw none into ſuit before the keepers of their priviledges; neither ſhall their keepers cite any, to the prejudice of the King or Crown.

*II. Stat. 23 H. 8. 9. None ſhall be cited to appear out of the Dioceſs or peculiar juriſdiction where he or ſhe dwelleth, except by ſome Eccleſiaſtical or other perſon within the Dioceſs or other juriſdiction whereunto he is ſo cited, for ſome offence or cauſe committed or omitted, contrary to right or duty, or upon an appeal or other lawful cauſe, or when the Judge dares not nor will not cauſe him to be cited, nor is any way party to the ſuit, or at the inſtance of the inferiour Judge to the ſuperiour, where the Law Civil or Canon doth allow it; and all this, in pain to forfeit double damages to the party grieved, and 10 l. to the King, to be divided betwixt him and the proſecutor.

III. The Arch-biſhop may cite for hereſie in any Dioceſe within his Province, upon conſent or neglect of the Biſhop or Judge there.

IV. This Act ſhall not reſtrain the juriſdiction of the Prerogative Court for Probate of Teſtaments.

V. The Eccleſiaſtical Judge ſhall take but 3 d. for a Citation, upon the pains aforeſaid.

Clap-board.

I. Stat. 35 El. 11. For every ſix tun of Beer exported, the ſame Cask, or as good, or 200 of Clap-board fit to make Cask, ſhall be imported, or (if they be tranſported into *Ireland*) 200 of Shaffold-board, which Clap-board or Shaffold-board by a Stranger ſhall be left here before the Beer be exported, but by a Subject ſhall be left here or provided within four months after.

II. The

II. The Clap-board ſhall contain 3 foot 2 inches (at leaſt) in
gth, and the Caſk ſhall be entred at the Cuſtom-houſe.
III. The ſame Law for ſtrangers that tranſport fiſh in Caſk, and
e penalty of breaking their Laws is the forfeiture of the Beer,
h and Caſk.
IV. None ſhall tranſport any Wine-caſk with Beer or Beerage,
Wine-caſk ſhaken, except for victualling of a Ship or other veſ-
, or ſome of her Majeſties Garriſons beyond Sea, in pain to for-
t 40 s. for every tun of Caſk ſo tranſported.
V. This Act ſhall not prohibit the tranſportation of Herrings
Caſk.

Clergy.

I. Weſt. 1. 2. 3 E. 1. A Clerk convict for felony and delive-
d to the Ordinary ſhall not be enlarged without due pur-
tion.
II. Stat. *De Bigamis* 5. 4 E. 1. *Bigamus* ſhall not be allowed
lergy.
III. Artic. Cleri, 15. 9 E. 2. A Clerk flying into the Church
felony, ſhall not be compelled to abjure.
IV. Artic. Cleri. 16. 9 E. 2. The privilege of the Church
ing demanded by the Ordinary ſhall not be denied to a Clerk
t hath confeſſed felony, who is called an appealor or ap-
ver.
V. Stat. 18 E. 3. *pro Clero*, 2. Bigamy ſhall not be tried by
queſt, but by certificate from the Ordinary, until which time
e party ſhall remain in priſon, unleſs bailable.
VI. Stat. 25 E. 3. *pro Clero*, 4. Every Clerk convicted of any
aſon or felony (not touching the King himſelf) ſhall be deli-
ed to the Ordinary.
VII. Stat. 25 E. 3. *pro Clero*, 5. A Clerk ſhall be arraigned
all his offences at once.
VIII. Stat. 4 H. 4. 2. The words *Inſidiatores viarum, & de-
ulatores agrorum*, ſhall not be put in indictments or appeals.
IX. Clerks ſhall be allowed their Clergy, notwithſtanding an
dictment hath the words aforeſaid inſerted in it.
X. Stat. 4 H. 4. 3. A Clerk convict ſhall make purgation ac-
rding to a conſtitution made by *Simon* Arch-biſhop of *Canter-*
ry.
XI. Stat. 4 H. 7. 13. The benefit of Clergy ſhall be allowed
t once.
XII. A convict perſon ſhall be marked openly before the Judge
upon

upon the brawn of his left thumb, *viz.* with an *M* for murther, [illegible] with a T. for another felony.

XIII. He that is within Orders, upon asking of his Clergy [illegible] ſhew his orders, or his Ordinaries certificate.

XIV. **Stat.** 12 *H.* 7. 7. No Lay-perſon that doth murther [illegible] Lord or Maſter ſhall have his Clergy.

XV. **Stat.** 23 *H.* 8. 1. None (except Clerks within orders) which by the Law ſhall be found guilty of petty treaſon, murther, ſacrilege, burglary, robbery, or houſe-breaking, nor their accoſaries, ſhall be admitted to the benefit of Clergy.

XVI. A Clerk within Orders, being principal or acceſſary [illegible] any of the offences above-ſaid, ſhall not be admitted to his purgation, nor be enlarged by the Ordinary, untill he ſhall have bound himſelf with two good ſureties before two Juſtices (*i. Qu.*) to [illegible] of good behaviour.

XVII. This Act ſhall give no benefit to any perſons which [illegible] outlawry, or attainder for felony or murther, are admitted [illegible] their Clergy, but that ſuch ſhall ſtill remain in the cuſtody of the Ordinary without making purgation.

XVIII. The Ordinary may degrade a convict perſon, and [illegible] him to the King's Bench, where the Juſtices ſhall have power to give judgement upon him, according to which he ſhall be executed.

XIX. **Stat.** 23 *H.* 8. 11. A convict perſon within Orders ſhall be delivered to the Ordinary, there to remain without [illegible] purgation; yet may the Ordinary (in that caſe) degrade him, and ſend him to the Kings Bench, where the Juſtices may proceed againſt him as before.

XX. **Stat.** 25 *H.* 8. 3. None ſhall have benefit of Clergy which, being accuſed of any of the offences mentioned in the 23 *H.* 8. 1. are found guilty and mute, challenge above twenty, or anſwer not directly; albeit the offence were committed in another County then where they were tried.

XXI. **Stat.** 26 *H.* 8. 13. A remedy where there be no Juſtices of Peace in that County in *Wales* where the Clerk convict ſhall remain in priſon.

XXII. **Stat.** 28. 8 *H.* 8. 1. Such as be within holy orders ſhall receive no other benefit of Clergy than others do. *Stat.* 32 *H.* 8. 3.

XXIII. **Stat.** 37 *H.* 8. 8. None attainted for horſe-ſtealing ſhall have the benefit of Clergy. *See* 2, 3 *E.* 6. 33.

XXIV. **Stat.** 1 *E.* 6. 12. All Felons ſhall have the benefit of Clergy, ſave only ſuch as are found guilty of murther, poiſon-

ing, burglary, robbery, horſe-ſtealing, or ſacriledge, or which upon their arraignment of any of the ſame offences confeſs the ſame, ſtand mute, or make no direct anſwer thereunto. *See alſo* for Horſe-ſtealing *the Statute of* 2, 3 E. 6. 33.

XXV. This Act ſhall not extend to Treaſon, petty Treaſon, or miſpriſion of Treaſon.

XXVI. A Peer of the Realm, for his firſt offence of Felony, though he cannot read, ſhall be admitted to his purgation, as a Clerk convict.

XXVII. *Bigamus*, being a Felon, ſhall be admitted to his Clergy as well as any other.

XXVIII. **Stat.** 5, 6 E. 6. 9. Clergy ſhall not be admitted to a Burglar, although the offence be committed without the notice of the owner, children or ſervants, or any of them being within the houſe or precincts of the ſame; ſo it is alſo for Burglary committed in Booths or Tents.

XXIX **Stat.** 5, 6 E. 6. 10. The Statute of 25 H 8. 3. ſhall ſtand in force concerning the trial of offenders in another County, then where the offence was committed, notwithſtanding the Statute of 1 E. 6. 12. which ſeems to take away the force thereof; ſo that ſuch an offender ſhall not have his Clergy, albeit the trial happen to be in another County than where ſuch offence was committed.

XXX. **Stat.** 4, 5 P. and M. 4. Acceſſaries (before the fact) which are found guilty of petty treaſon, murther, burglary, robbery, or houſe-burning, or which upon their arraignment for theſe offences ſtand mute, challenge above twenty, or anſwer not directly, ſhall not enjoy the benefit of Clergy.

XXXI. In this caſe Peers ſhall be tried by their Peers.

XXXII. **Stat.** 8 *Eliz.* 4. None that taketh any thing privily or feloniouſly from the perſon of another, or upon his arraignment ſhall confeſs the ſame, nor anſwer directly, ſtand mute, challenge above twenty, or be outlawed for it, ſhall have the benefit of his Clergy.

XXXIII. One delivered to the Ordinary and admitted to his Clergy ſhall (notwithſtanding his purgation) anſwer for offences formerly committed.

XXXIV. **Stat.** 18 *El.* 7. None ſhall have Clergy that committeth Rape or Burglary.

XXXV. An offender admitted to his Clergy, after burning in the hand, ſhall not be delivered to the Ordinary, as hath been uſed, but ſhall thereupon be enlarged by the Juſtices before whom ſuch Clergy ſhall be granted, or by them detained longer in priſon

ſon at their diſcretion, ſo it be not for longer time than one whole year.

XXXVI. To know a woman carnally under the age of ten years is felony.

XXXVII. One admitted to his Clergy ſhall nevertheleſs anſwer for other felonies.

XXXVIII. **Stat.** 39 *Eliz.* 9. He that taketh away a woman againſt her will (having lands or goods, or being heir apparent to her Anceſtor) contrary to the *Stat.* of 3 *H.* 7. 2. of being arraigned for ſuch offence, ſtands mute, anſwers not directly, or challengeth above twenty, ſhall not have the benefit of Clergy.

XXXIX. The ſame law againſt Procurers and Acceſſaries before ſuch offences committed.

XL. **Stat.** 39 *Eliz.* 15. Clergy ſhall not be allowed to any that feloniouſly takes away any thing in the day-time amounting to the value of 5 s. out of any dwelling-houſe or outhouſe, albeit no perſon be within or near the ſame.

XLI. **Stat.** 1 *Jac.* 8. He that ſtabs or thruſts any perſon, not having a weapon drawn, or not ſtriking firſt, ſo that he die thereof within ſix months after, although it be not of malice forethought, ſhall not enjoy the benefit of Clergy.

XLII. This Act ſhall not extend to charge any of ſtabbing or thruſting when it is done only *ſe defendendo*, by misfortune, or in chaſtiſing his child or ſervant, with no purpoſe to commit Manſlaughter.

XLIII. **Stat.** 21 *Jac.* 6. For felony, where the man may have his Clergy, the woman ſhall be burned in the hand with a hot Iron.

Clerks of the Chancery.

I. **Stat.** *De Sacramento Clericorum Cancellariæ*, 18 *E.* 3. The form of the oath of the Clerks of the Chancery.

II. **Stat.** 14 *H.* 8. 8. The ſix Clerks of the Chancery may marry wives, and yet injoy their Offices.

☞ Clerk of the Crown.

I. **Stat.** 2 *H.* 4. 10 When divers perſons are joyntly indicted, the Clerk of the Crown ſhall take but one fee, *viz.* 2 s. for them all, and not ſeveral fees for each perſon.

Clerk

Clerk of the Market.

* I. Stat. 13 R. 2. 4. The Clerk of the Market of the Kings Houſe ſhall execute his Office duely, and all falſe weights and meaſures ſhall be burnt.

II. The ſaid Clerk ſhall take no common fine, but every one ſhall be puniſhed according to their demerit.

III. He ſhall not ride with above ſix horſes, and ſhall tarry no longer in a place then need requireth.

IV. If he offend againſt this Law, he ſhall pay to the King for the firſt time 5 l. for the ſecond 10 l. for the third 20 l.

* V. Stat. 17 Car. 19. There ſhall be one weight and one meaſure according to the Standard of the Exchequer throughout the Realm, and every meaſure of Corn ſhall be ſtriked without heap.

VI. Whoſoever ſhall ſell, buy or keep any other weight or meaſure whereby any thing is bought or ſold, after ſix months after this Seſſ. of Parliament, ſhall forfeit for every ſuch offence 5 s. being thereof lawfully convicted by the oath of one witneſs before a Juſtice of Peace, Mayor or other Head-officer, (in their ſeveral Precincts reſpectively) who ſhall have power to adminiſter an oath in that behalf; which ſaid forfeiture ſhall be levied by the Church-wardens and Overſeers of the poor (or one of them) where the offence ſhall be committed, to the uſe of the poor there, by diſtreſs and ſale of goods, rendring the overplus to the party offending; and in default of diſtreſs, the Juſtice, Mayor, or Head-officer may commit the offender to priſon, until he ſhall pay the ſum ſo forfeited.

VII. The Clerk of the Market of the Kings or Prince's houſhold, and his Deputies, ſhall only execute their offices within the verge, and not elſewhere: And Head-officers of Corporations, and Lords of Liberties, and their Deputies, may execute theirs in their ſeveral Precincts, as they might have done before this Act was made.

VIII. If any of the Officers aforeſaid ſhall ſeal any weight or meaſure which is not agreeable to the ſaid Standard, or ſhall refuſe to ſeal ſuch as are agreeable thereunto, (the party paying only ſuch fees for the allowance thereof as are warranted by Statute, or ſome ancient cuſtom) they and their Deputies (reſpectively) ſhall for every ſuch offence forfeit 5 l. to be levied as aforeſaid, to the uſe of the poor where the offence was committed.

IX. If they ſhall take any other fine, fee, reward, or ſum of money, than what are allowed by Statute, or ſome ſuch ancient cuſtome,

ſtome, for the ſigning or examination of any weights or meaſures which have been formerly marked or ſealed, or ſhall impoſe any fine or amerciament without a legall triall of the offence, or ſhall otherwiſe miſdemean themſelves in the execution of their Office, and ſhall be thereof lawfully convict, they ſhall forfeit for the firſt offence 5 l. for the ſecond 10 l. and for every other offence 20 l. to be levied as aforeſaid, to the uſe of the poor where the offence was committed.

X. He that is fined or amercied by this Act, ſhall not be again puniſhed for the ſame offence by force of any former Law or Statute.

XI. This Act ſhall not extend to the meaſure of rent-corn, nor to water-meaſure, nor to colledges or ſocieties.

XII. If any Officer authorized to execute this Statute ſhall be impleaded for any Act he ſhall do therein, he ſhall plead the general iſſue, *Not guilty*, and yet give this Statute, or any other ſpecial matter in evidence: And if it be found *not guilty*, or the Plaintiff be non-ſuited, he ſhall recover treble coſts.

Clerks of Signet and Privy Seal.

I. **Stat.** 27 *H.* 8. 11. How and in what manner the King's grants, writings and leaſes ſhall paſs the privy Signet, the privy Seal, and the Great Seal; and in what time they ſhall paſs thoſe Seals; and forfeitures ſet upon the Clerks of the privy Signet, and privy Seal, for not doing their duty; and what fees they ſhall take for thoſe writings, and what fees ſhall be paid to any perſon for the ſame; and how and where ſuch writings ſhall come to the Great Seal, with an immediate warrant, and not paſs the Signet or privy Seal, and what fees ſhall be then paid therefore; and how and under what Seals the King's leaſes, grants, and writings of Lands, or Offices of the County Palatine or Dutchie of *Lancaſter* ſhall paſs; and what grants, leaſes, or writings for the King may be made without his warrant, and divers Articles at large concerning theſe matters: for theſe ſee the Statute it ſelf at large.

Coaches.

* I. **Stat.** 14 *Car.* 2. *cap.* 2. None ſhall let Coaches to hire within *London* and *Weſtminſter*, without licenſe from Commiſſioners to be impowered by the King under the Great Seal for licenſing of Coaches: and no Hackney-coach-horſe ſhall be leſs than 14 hand high: and the Coaches licenſed ſhall not exceed

400

400 in number. Every Coach licenſed ſhall have a ſeveral mark of diſtinction, and none ſhall be licenſed to keep above 2 Coaches, upon pain of 5 l. for every offence, one moiety to the Commiſſioners for paving the ſtreets, the other moiety to the Informer.

II. The Commiſſioners are not to licenſe ſuch as uſe any other trade, and chiefly to licenſe ſuch as have been ancient Coach-men, or have ſuffered for the King, or the widows that have Coaches of their own.

III. Penalty upon every Commiſſioner for every ſupernumerary Coach licenſed 100 l. whereof 20 l. to the informer, and the reſidue towards repairing the highways, to be levied by diſtreſs by Warrant under the hands and ſeals of 5 other Commiſſioners for mending the high-ways and paving the ſtreets.

IV. Licenſed Coach-men about *London* and *weſtminſter* ſhall take for hire but 10 s. *per diem*, 18 d. for the firſt hour, and 12 d. every hour after; nor from any *Innes* of *Court* to any part of *S. James's* or *Weſtminſter* above 12 d. and from any *Innes* of *Court* to the Royal *Exchange* 12 d. to the *Tower* of *London*, *Biſhopsgate-ſtreet*, *Algate* or thereabouts, 18 d. and ſo from the ſaid places to the *Innes* of *Court*, and the like rates to places of like diſtance: and upon refuſing to goe or exacting more, to forfeit for every offence 10 s.

V. Every Hackney-coach-man licenſed ſhall pay 5 l. *per annum*, by quarterly payment, towards repairing high-ways, and paving the ſtreets: and certificates of all Hackney-coaches licenſed ſhall be made to the Commiſſioners for paving and mending the ſtreets, who are enabled to call the Commiſſioners for Hackney-coaches to accompt for the ſame.

VI. All Fines, Repes, Forfeitures and Penalties due to the Commiſſioners upon this Act ſhall be levied by diſtreſs, by Warrant under the hands and ſeals of any 5 of the Commiſſioners, and for want of diſtreſs by Impriſonment of the perſons untill ſatisfaction.

Coals.

I. Stat. 16 & 17 *Car.* 2. *cap.* 2. After the 6th of *March* 1664. all ſorts of Sea-coals, brought into the River of *Toames* and ſold, ſhall be ſold by the chaldron, containing 36 buſhels heaped, and according to the buſhell ſealed for that purpoſe at *Guildhall London*, and ſo proportionably.

II. All other Coals, commonly ſold by weight after 112 pound the hundred, upon pain of forfeiture of all the Coals other-

wise sold or exposed to sale by any Woodmonger or retailer of Coals, and the double value thereof, to be recovered in any Court of Record, or by complaint to the Lord Mayor of *London*, and Justices of the Peace within the City and liberties, or any two Justices of the Peace of the several Counties where such Coals shall be exposed to sale; who upon due proof upon oath may convict the offenders, and give Warrant under their hands and seals for levying the forfeitures, one half to the person complaining, the other half for the poor, or repairing high-ways within the same parish, or any other adjoyning parish, by their direction or Warrant.

III. The said Lord Mayor and Court of Aldermen of *London* and Justices of Peace in their several Counties, or any 3 of them, whereof one of the *Quorum*, may set rates or prices upon such Coals to be sold by retail, allowing competent clear profit to the retailer.

IV. If any ingrosser or retailer refuse to sell as aforesaid, they may appoint officers or other persons to enter into any Wharf or Place where such Coals are stored, and if refused, taking a Constable force entrance, and sell the said Coals at such rate, rendring the money to the ingrosser or retailer, necessary charges deducted.

This Act to continue 3 years next, and to the end of the next session of Parliament, and no longer.

V. Provided no person be sued upon any other Act for the same offence; and that the general issue may be pleaded by the defendant to any action upon this Act, and upon verdict for the def. or that the Plaintiff be nonsuit, to have damages, and double costs.

VI. Provided that no person, having any interest in any Wharf used for receiving or uttering Coals, or trading by himself, or in any others name, in engrossing or selling Coals, shall intermeddle in setting the prices thereof.

Collectors.

I. **Stat.** 18 *H.* 6. 5. None appointed to be a Collector of fifteen in a City or Borough, shall be also Collector in the same County, unless he may dispend in the County out of such City lands 5 *l. per annum*, above all reprises.

II. **Stat.** 14 *Car.* 2. *cap.* 18. An Act for relief of Collectors of publick money, and their assistants and deputies.

Com-

Commiſſion and Commiſſioners.

I. **Stat.** 42 *E.* 3. 4. Commiſſions of Inquiries ſhall be made to the Juſtices of the one Bench or the other, Juſtices of Aſſize, Juſtices of Peace, with others of the moſt worthy in the Countrey, ſave in the Office of the Eſcheatorſhip.

II. **Stat.** 4 *H.* 4. 9. If any be diſtrained by Writ out of the Exchequer for not returning a Commiſſion which never came to their hands, the Chancellor of *England*, (calling to him ſome of the Juſtices, and the chief Baron, if need be) hath power to give remedy therein.

III. **Stat.** 7 *H.* 4. 11. Commiſſioners not receiving a Commiſſion ſhall be diſcharged thereof upon oath.

IV. The Barons of the Exchequer have power to adminiſter the oath, and to diſcharge them thereupon.

V. The Barons of the Exchequer, and the Juſtices of either Bench, have alſo power (by *Dedimus poteſtatem*) to receive ſuch oaths in the Country, and the Juſtices ſhall make certificate thereof into the Exchequer, and thereupon alſo the Barons ſhall diſcharge the Commiſſioners, their heirs, executors, and land-tenants.

VI. Such oaths are not to be taken but in caſe of Commiſſions of *Oyer* and *Terminer*, and of inquiring and certifying onely.

Common Pleas.

I. **Magna Charta**, 11. 9 *H.* 3. Common Pleas ſhall not follow the Court, but ſhall be holden in ſome place certain.

II. **Artic. ſuper Chart.** 4. 28 *E.* 1. Common Pleas ſhall not be holden in the Exchequer, contrary to the form of the Great Charter.

Common Prayer. *See* Religion.

Conditions.

I. **Stat.** 32 *H.* 8. 34. Grantees of Reverſions may take advantage of conditions and covenants againſt Leſſees of the ſame lands, as fully as the Leſſors, their heirs or ſucceſſors, might have done.

II. Leſſees may alſo have the like remedy againſt the grantees of Reverſions, which they might have had againſt their leſſors or grantors, their heirs or ſucceſſors; all advantage of recoveries in

value, by reaſon of any warranty in Deed of Law by Voucher, or otherwiſe, onely excepted.

Confirmation.

I. Marlb. 5. 52. *H.* 3. The Great Charter, and that of the Foreſt, ſhall be duely obſerved and inquired of before the Juſtices in *Eyre*, and the Sheriffs in their Counties, and the offenders ſhall be grievouſly puniſhed by the King.

II. Stat. 25 *E.* 1. *cap.* 1, 2, 3, & 4. The Great Charters are confirmed, judgments given againſt them ſhall be void; they ſhall be read in all Cathedral Churches, and Excommunication ſhall be pronounced againſt the breakers of them.

III. Artic. ſuper Chart. 1. 28 *E.* 1. The Great Charter, and that alſo of the Foreſt, ſhall be duly obſerved.

IV. They ſhall be read four times in the year in a full County-Court, *viz.* at the Counties after *Mich. Chriſtm. Eaſter*, and St. *John Baptiſt*.

V. There ſhall be three Knights, or other ſubſtantial men, choſen by the Commonalty in every County, to hear plaints concerning the Charters, and to determine them without ſuch delay as is uſed at the Common Law; but they ſhall not in their proceeding prejudice the Common Law, or the Charters.

VI. They ſhall have their power by the King's Writ under the Great Seal, & the Sheriffs & Bailiffs ſhall be attendant upon them.

VII. Stat. 1 *E.* 3. 1. The Great Charter, and that of the Foreſt, ſhall be duly kept and put in execution. *See And.* 2. 4. 5. 10. 14. 28. 31. 36. 37. 42. & 45 *E.* 3. *cap.* 1. & 50 *E.* 3. *cap.* 2. & *Ann.* 1. 2. Stat. 25. 6. Stat. 1. *cap.* 1. 7. *cap.* 2. 8. & 12 *R.* 2. *cap.* 1. alſo *Ann.* 1. 2. 4. 7. 9. & 13 *H.* 4. *cap.* 1. likewiſe *Ann.* 4. *H.* 5. *cap.* 1.

VIII. Stat. 10 *E.* 3. 1. All Statutes not repealed ſhall be kept and put in execution. *See alſo* 28. 36. 37. & 38 *E.* 3. *cap.* 1. and 1. 2. *Stat.* 2. 35. 6. *cap.* 1. 7. *cap.* 2. 8. 9. & 12 *R.* 2. *cap.* 1. and 15 *R.* 2. *cap.* 1. and 1. 2. 4. 7. 9. & 13, 4 *H.* 5. *cap.* 1.

IX. Stat. 42 *E.* 3. If any Statute be made contrary to *Magna Charta*, or *Charta de Foreſta*, it ſhall be void.

X. Stat. 1 *H.* 4. 4. The Parliament holden in *Ann.* 11 *R.* 2. ſhall be holden and kept according to the purport thereof, as a thing done to the great honour and common profit of the Realm.

XI. Stat. 1 *E.* 4. 1. An Act was made, whereby was confirmed all Judicial Acts, Exemplifications, Concords, Recoveries, Proceſs in Court, &c. made in the times of *H.* 4 *H.* 5. and *H.* 6. and all grants

grants and letters Patents (of divers things mentioned in the ſaid Act) made by any of the ſaid three Kings. *See the Statute at large.*

XII. *The confirmation of divers particular Statutes. See under their proper titles.*

☞ Conjuration, Enchantment, & Witchcraft.

* I. **Stat.** 1. *Jac.* 12. If any ſhall be convicted to have uſed invocation or conjuration of any evil Spirit, or to have conſulted, covenanted with, entertained, imployed, fed or rewarded any ſuch Spirit, or taken up any dead perſon, or the skin, bone, or other part thereof, to have uſed in Witchcraft, Sorcery, charm or inchantment, or to have uſed any of the ſaid Arts to kill, conſume, and lame any perſon, they, together with their acceſſaries before the fact, ſhall ſuffer as felons, without benefit of Clergie.

II. If any ſhall be convicted to have by Witchcraft, Sorcery, Charm or Inchantment, undertaken to tell where any treaſure or goods loſt or ſtollen may be found, or are become, or to provoke any to unlawfull love, or to deſtroy or hurt any cattel, goods, or perſon, albeit the ſame be not effected; they ſhall for the firſt offence ſuffer one year's impriſonment without bail, once every quarter of that year ſtand ſix hours upon the pillory, in ſome open Fair or Market, and there make open confeſſion of the offence committed; and for the ſecond offence, ſhall ſuffer as felons, without benefit of Clergie.

III. But in theſe caſes ſhall be no loſs of dower, or diſheriſon of heir. And a Peer (being an offender) ſhall be tried by his Peers.

☞ Conſpiracie.

I. **Artic. ſuper Chart.** 10. 28 *E.* 1. Againſt Conſpirators, falſe Informers, and imbraceors of inqueſts, the King hath provided a Writ in the Chancery, and the Juſtices of either Bench, and Juſtices of Aſſize, ſhall upon every plaint thereof award inqueſts thereupon without Writ.

II. **Stat.** 33 *E.* 1. Conſpirators are ſuch as bind themſelves by oath or other alliance falſly and maliciouſly to indict, and falſly to move and maintain pleas, and ſuch as cauſe children within age to appeal men of felony, and retain men to maintain their malicious entreprizes: And this extendeth as well to the takers as givers; and alſo Stewards and Bailiffs, who by their power maintain debates that concern not their Lords, but other parties.

III. **Stat.** 7 *H.* 5. Whereas divers have been indicted for treaſons

ſons and felonies ſuppoſed to be committed in places, there being none ſuch to be found; every Juſtice having power to hear and determine ſuch offences by the oath of twelve men (whereof each ſhall have Free-hold within the County of the yearly value of 5 l. beſides all repriſes) ſhall before *Exigent* inquire of Office, whether there be (indeed) any ſuch places or no: And if there be no ſuch place or places in the County where ſuch appeals or indictments are made, they and the proceſs thereupon ſhall be void; and the Indictors ſhall be puniſhed by impriſonment, fine and ranſome, at the diſcretion of the ſaid Juſtices; and if any *Exigent* be awarded before inquiſition, it ſhall be alſo void. This Act to continue in force untill the next Parliament.

IV. **Stat.** 9 *H.* 5. 1. The *Stat.* of 7 *H.* 5. ſhall continue in force untill the next Parliament after the King's return from beyond Sea.

V. **Stat.** 18 *H.* 6. 12. The Statute of 9 *H.* 5. 1. made perpetual, becauſe (*H.* 5. dying beyond Sea) ſome were of opinion it was expired.

Conſtable and Marſhal.

I. **Stat.** 8 *R.* 2. 5. The Conſtable and Marſhall ſhall not have conuſance of Pleas or ſuits, which ought to be diſcuſſed at the Common Law.

II. **Stat.** 13 *R.* 2. *Stat.* 1. 2. The Conſtable of *England* hath cogniſance of things concerning Arms and Wars, which cannot be diſcuſſed by the Common Law.

III. In this Court, the Plaintiff ſhall plainly declare his matter in his Petition before the Defendant be ſent for.

IV. When a Plea is commenced before the Conſtable and Marſhall which may be tried at the Common Law, the party grieved ſhall have a privy Seal to cauſe the Conſtable and Marſhall to ceaſe, untill it may be decided by the King's Councel, whether it may be tried there or at the Common Law.

Contra formam Collationis.

I. **Weſt.** 2. 41. 13 *E.* 1. If lands given to Abbies, Priories, Hoſpitals, or other Religious Houſes, or to maintain a Chantery, a light, or Alms, be alienated, the King ſhall ſeize it, and the purchaſer ſhall loſe both the land and his money.

II. If the houſe were founded by a Subject, he ſhall recover the land by a Writ; *which ſee in the Statute at large.*

III. If

III. If it were given to maintain a Chanterie, a light, or Alms, and not aliened, but the duty withdrawn two years together, the donor or his heir ſhall recover it by *Ceſſavit*.

Conventicles.

I. **Stat.** 16 *Car.* 2. *cap.* 4. The *Stat.* of 35 *El. cap.* 1. declared to be in force, and further remedies againſt the dangerous practices of ſeditious Sectaries, and other meetings in Conventicles, under colour of exerciſe of Religion: and the Act at large, being upon continuance for 3 years after the end of this Parliament, and to the end of the next ſeſſion of Parliament, after the ſaid 3 years, and no longer.

Conuſance.

I. **Stat.** 9 *H.* 4. 5. Where in Aſſizes and Pleas of land or rent within Franchiſes and ancient Demeſne againſt certain perſons, the names of the Mayors, Bailiffs, or Communalties in Franchiſes, and of the Lords or Bailiffs in ancient Demeſne, are therein alſo by colluſion inſerted, ſuppoſing them alſo to be diſſeiſors, or tenants of the land, and with purpoſe to exclude them from the conuſance of the matter in Plea, which by reaſon of their Franchiſes and Liberties ought to be diſcuſſed before them; in ſuch Aſſizes and Writs the Juſtices ſhall (upon requeſt) firſt inquire by the ſame Aſſize, whether they be (indeed) diſſeiſors or tenants, or whether their names be inſerted by fraud, as aforeſaid.

II. If it ſhall be found by fraud, the Aſſiſes or Writs ſhall abate, and the Plaintiff ſhall be grievouſly amerced; notwithſtanding there be others named therein, who are in truth diſſeiſors or tenants.

III. **Stat.** 8 *H.* 6. 26. In Aſſizes or perſonal actions, if the Defendant make default by colluſion, with purpoſe that Mayors, Bailiffs, or other Communalties, or Lords and Bailiffs ſhould loſe their juriſdictions, the Juſtices ſhall (upon requeſt) inquire thereof by Aſſizes or inqueſts, where both the Plaintiffs and the owners of ſuch Franchiſes and Liberties may have their challenges: And if colluſion be found, the Writs ſhall abate, and the Plaintiff ſhall be amerced.

Copiholds.

I. **Stat.** 7 *Jac.* 21. Compoſitions made by Decrees in the Ex-

chequer and Duchie *chambers* with the Kings Copihold tenants concerning their Copiholds, within three years from the first day of this Parliament, are confirmed, saving the right of all others.

☞ Cordwainers, Curriers, Tanners, & Leather.

*I. **Stat.** 27 *H.* 8. 14. None shall pack any Leather to be transported but by a Packer sworn, in pain to forfeit the leather, or the value thereof: And every stranger shall pay for the custome of a Dicker of leather 4 s. 9 d. and a Denizen 4 s. 1. d.

II. The Customers and Controllers shall name and appoint a Toller in every Port where none are, and shall also give him his oath for the due execution of his Office in the presence of the Customer and Controller, or their Deputie or Deputies.

III. The fee for tolling leather is, for every Dicker, of a stranger, 6 d. whereof the Toller is to have 2 d. and the Communalty there the rest; of a Denizen, 4 d. to be divided betwixt the Toller and the Communalty; and of a Free-man of the Port, 2 d.

IV. The Customers and Controllers shall also appoint and sweer a Packer in every Port respectively, who may put up in one pack as many Dickers under seven as the owner of the leather pleaseth; and his fee is 4 d. a pack.

V. If the Packer pack any leather before it be tolled and entred by the Customer or his Deputy, or pack more then shall be entred, he shall forfeit for every such offence 5 l. and suffer imprisonment at the King's pleasure; and if the Toller number any leather in the absence of the Customer, Controller, or his or their Deputy or Deputies, he shall forfeit five marks.

VI. If any stranger, or his Factor, convey any leather from one Port to another, with an intent to transport it also afterwards from the second Port; he shall cause the same to be Tolled, entred, and packed at the second Port, and shall have a certificate thereof from the Customer there, in pain to forfeit the same, or the value thereof.

VII. None having a Tanne-house shall transport any leather (without the King's licence) in pain to forfeit the same, or the value thereof.

VIII. These forfeitures shall be divided betwixt the King and the prosecutor.

IX. This Act shall not prohibit a Captain of a Ship of the King's in time of war, nor the owner nor Master of a Ship bound for a voyage, to take salt hides with them, so they exceed not the number of 18. Also untanned hides of beasts killed in *wales*, or the Marches, may be transported notwithstanding this Act, except by one keeping a Tanne-house.

X.

*X. **Stat.** 5 *E.* 6. 15. None ſhall buy or ingroſs leather, to the intent to ſell the ſame again, in pain to forfeit the ſame leather, or the value thereof, to be divided betwixt the King and the proſecutor or ſeiſor.

XI. This Statute ſhall not reſtrain Girdlers, or other Artificers, to ſell their necks, wombs, or ſhreds, nor the buying of ſo much leather as the party which buyes it hath licenſe to tranſport.

XII. None ſhall tranſport any Shooes, Boots, Buskins, Start-ups, or Slippers, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the proſecutor or ſeiſor.

XIII. No Girdler, or other cutter of leather, ſhall curry it in his own houſe, in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

*XIV. **Stat.** 1 *M. Parl.* 2. 8. No Artificer uſing the Myſterie of leather-buying ſhall buy any leather, and ſell the ſame again to be tranſported, in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

XV. No Curriers in *London* ſhall uſe their own ſtuff, in pain to forfeit the leather otherwiſe curried.

XVI. No Currier ſhall curry any hides betwixt St. *James-tide* and the *Ladie-day*, but only ſuch as have been ſufficiently dipped twice in the pan, in pain to forfeit the ſame, to be divided as aforeſaid.

XVII. A Currier ſhall dreſs his leather within the ſpace of five days in Summer, and of ten days in Winter, in pain to forfeit to the party grieved for every hide otherwiſe dreſſed 10 s.

*XVIII. **Stat.** 5 *El.* 22. None ſhall make any Pelts, *viz.* pull or take away any wool from any Sheep or Lamb-skins, or buy any kind of Stag, Hind, Buck, Doe, Goat, Fawn, or Kid, or the pelts of any of them, unleſs they make thereof tawed, or leather lawfully tanned, or parchment, or otherwiſe convert the ſame into ſemits, pannels, or other their own neceſſary uſes, in pain to forfeit the value of ſuch skins, and 2 s. 6 d. for every skin otherwiſe uſed.

*XIX. **Stat.** 18 *El.* 6. None ſhall ſhip any leather, tallow, or raw hides (except *Scotch* hides, according to the *proviſo* of 5 *El.* 8. now repealed by 1 *Ja.* 22.) in pain to forfeit the ſame, and the treble value; and the owner of the ſhip knowing the ſame, to forfeit his ſhip and the furniture thereof; and the Maſter thereof alſo knowing the ſame, to forfeit all his goods, and to ſuffer one years impriſonment without bail. The forfeitures are to be divided betwixt the King and the proſecutor.

XX. If the Owner, Maſter, or Mariner, within 3 months after his knowledge thereof, or at his return into *England*, ſhall upon oath diſcover it *bona fide* to one of the Barons of the Exchequer, either

either of the Lords Preſidents, or an head-officer of the Port where he lands, and afterwards ſhall be ready to juſtifie it; he ſhall be thereupon excuſed.

XXI. He that tranſports any Leather, Tallow, or raw hides, (otherwiſe than according to the aforeſaid *Proviſo*) ſhall pay by the name of Subſidie, 10 s. for every hide, 3 s. 1 d. for every dozen of Calfs-skins, and 6 s. 8 d. for every 100 weight of Tallow.

XXII. The Cuſtomers, &c. ſhall be accountable to the Queen for the ſaid ſubſidie, and ſhall pay the ſame unto her, upon the pain contained in 3 *H.* 6. 3.

*XXIII. Stat. 1 *Jac.* 22. None ſhall gaſh any Hide, in pain of 20 d. nor water them, except in *June*, *July* and *Auguſt*, nor put them to ſale being putrified, in pain to forfeit for every Hide ſo watered or put to ſale 3 s. 4 d.

XXIV. None ſhall kill any Calves under five weeks old, in pain to forfeit for every Calf ſo killed 6 s. 8 d.

*XXV. No Butcher ſhall exerciſe the myſtery of a Tanner, in pain of 6 s. 8 d. for every day he ſo continues both profeſſions.

XXVI. None ſhall be Tanners but ſuch as have ſerved ſeven years as Apprentices or hired ſervants in that Trade, or the Widow or Children of a Tanner, having a Tanne-fat left them and having been brought up in that Profeſſion by the ſpace of four years, in pain to forfeit all the leather they tanne, or the full value thereof.

XXVII. None that uſeth the cutting or working of Leather ſhall be a Tanner, in pain to forfeit all the Leather he tannes, or the value thereof.

XXVIII. None ſhall buy any rough Hides, or Calf-ſkins in the hair, but only ſuch as do or may lawfully tanne them, (except ſalt Hides, for the neceſſary uſe of Ships) in pain to forfeit them, or the juſt value: Neither ſhall any foreſtall Hides, but buy them in open Fair or Market, (except of ſuch as kill beaſts for their own proviſion) in pain to forfeit for every Hide otherwiſe bought 6 s. 8 d.

XXIX. None ſhall buy any tanned Leather unwrought, but only ſuch as will and ſhall convert the ſame into made wares.

XXX. This Act ſhall not reſtrain Artificers from buying tanned Leather every Monday at *Leaden-hall*, to be converted into made wares, being firſt duly ſearched, ſealed and regiſtred, as hereafter is limited; nor Girdlers or Sadlers, from ſelling their necks or ſhreds of tanned red Leather.

XXXI. The Tanner that over-limes his Hides, or uſeth in his tanning any thing ſave Aſh-bark, Oak-bark, Tapwort, Malt, Meal, Lime, Culver-dung, or Hen-dung, or ſuffers them to be ſo-

ſcald

ken, or to be parched with fire or Sun, or tannes ſuch as are rotten by long lying or otherwiſe, or continues not utter-ſole Leather twelve moneths in the woozes, and upper Leather 9 moneths, or doth negligently work his Hides in the woozes, not renewing and ſtrengthning them as often as need ſhall require, or doth work them in any other ſort than is by this Statute limited, ſhall forfeit every Hide ſo tanned and put to ſale, or the full value thereof.

XXXII. No Tanner ſhall by mixtures raiſe any Hide for ſole-Leather which ſhall not be fit for that uſe, in pain of forfeiting the ſame.

XXXIII. None ſhall put to ſale any tanned Leather red, and unwrought, but in open Fair or Market, unleſs the ſame hath been ſearched and ſealed in ſome Fair or Market before; neither ſhall any offer to ſell any ſuch Leather, before it be ſearched and ſealed, in pain to forfeit for every Hide otherwiſe put to ſale, 6 s. 8 d. and for every dozen of Calf-skins, or Sheep-skins, 3 s. 4 d. beſides the Hides and Skins themſelves, or the full value thereof.

XXXIV. None ſhall put to ſale any Leather inſufficiently tanned or dried, in pain to forfeit the whole, or at leaſt ſo much as ſhall be ſo miſuſed.

XXXV. No Tanner ſhall haſten the tanning of his Leather by giving it unkind heats with hot wooze, or otherwiſe, in pain of 10 l. and to ſtand upon the Pillorie three dayes, in the next Market.

XXXVI. None ſhall buy or ingroſs Bark to the intent to ſell the ſame again, in pain to forfeit it, or the value thereof; neither ſhall any ſell Oak-trees apt for Barking, where Bark is worth 2 s. the Cart-load, (Timber for the neceſſary repair of Houſes, Ships, and Mills, excepted) but only betwixt the firſt of *April* and the laſt of *June*, in pain to forfeit the trees otherwiſe felled, or the double value of the ſame.

XXXVII. Purveyors of trees for the King's uſe ſhall fell them only in barking time, (except for the preſent repair of the King's Houſes or Ships) and ſhall take no more thereof from the owner, than what may ſerve the King's preſent occaſion, in pain to forfeit to the party grieved for every tree, and for the lop, top, or bark of every tree taken contrary to this Act, 40 s. And it ſhall be lawfull for the owner to retain the lop, top, and bark of every ſuch tree.

XXXVIII. A Currier ſhall not curry a Hide or Skin which is not ſufficiently tanned and dried, and that in his own houſe, ſituate in ſome Corporate or Market-town, and not elſewhere; neither ſhall he gaſh, or other way ſpoil or impair them, but work them

ſufficiently

ſufficiently in all points, in pain to forfeit for every Skin or Hide ſo ſpoiled (otherwiſe than by gaſhing in ſhaving them) 6 s. 8 d. beſides the value of the ſame Skin or Hide; and for gaſhing them to forfeit to the party grieved twice ſo much as he impairs them thereby.

XXXIX. No Artificer within *London* or three miles diſtance from it ſhall put any leather to be curried, ſave only to ſome perſon free of the Company of Curriers in *London*, in pain to forfeit the ſame, or the value thereof.

XL. None within the foreſaid Juriſdiction of *London* ſhall uſe or put into made wares any curried leather, before the ſame be ſearched and ſealed, in pain to forfeit for every Hide or Skin 6 s. 8 d. and alſo the value of every ſuch Hide or Skin.

XLI. A Currier ſhall not uſe the Art of a Tanner, Cordwainer, Shoe-maker, Butcher, or of any other Artificer which uſeth the cutting of leather, in pain to forfeit for every Hide or Skin he currieth during that time, 6 s. 8 d.

XLII. No Currier (ſufficient ſtuff being tendred unto him) ſhall refuſe ſufficiently to curry leather within eight days in Summer, and ſixteen dayes in Winter, after he ſhall or may take it in hand, in pain to forfeit for every Hide or piece of leather not curried accordingly, 10 s.

XLIII. The Wardens of the Company of Curriers (or officers by them appointed) ſhall, within one day after requeſt made unto them, ſearch and ſeal leather curried, for which the Currier ſhall pay after the rate of 1 d. for every Dicker of hides, and as much for every ſix dozen of Calf-skins. And the Currier ſhall forfeit for every hide not ſearched and ſealed as aforeſaid, 6 s. 8 d.

XLIV. Shoe-makers ſhall make their Boots, *&c.* of good and ſufficient ſtuff, ſew them well, and not put them to ſale upon Sundays, in pain to forfeit for every ſuch default or offence 3 s. 4 d. and alſo the full value of all wares otherwiſe made or ſold.

XLV. The Maſters and the Wardens of the Company of Shoe-makers, Curriers, Girdlers and Sadlers, within the Juriſdiction of *London* aforeſaid, or the more part of them, ſhall once every quarter (or oftener, if need require) make ſearch and view of all wares made of tanned leather, in pain to forfeit 40 s. for every years default, to be divided betwixt the King and the proſecutor, and ſhall alſo have power to ſeize all inſufficient wares found upon ſearch.

XLVI. The ſaid Maſters and Wardens ſhall only ſearch the wares of ſuch as are of their own profeſſions, and Coach-makers ſhall be under the ſurvey and ſearch of the Company of Sadlers.

XLVII. The Mayor and Aldermen of *London* ſhall (within the

ſaid

ſaid juriſdiction, and upon the like pain of 40 s. to be imployed as aforeſaid) chuſe and ſwear 8 expert men out of ſome of the four Companies aboveſaid, to be ſearchers and ſealers of all tanned leather there, whereof one ſhall be aſſigned to keep the ſeal.

XLVIII. Head-officers in Corporate and Market-towns, and Lords of Liberties, ſhall yearly in all other parts of the Kingdom (upon the like pain of 40 s. to be imployed as aforeſaid) appoint and ſwear two, three, or more, honeſt and skilful men, to be ſearchers and ſealers of leather, who ſhall have power to ſeal ſufficient wares, and likewiſe to ſeize and retain ſuch as be inſufficient, untill they ſhall be tried by triers to be hereafter appointed by this Act.

XLIX. There ſhall be appointed ſix triers of inſufficient leather and leather-wares, which ſhall be ſeized within the ſaid juriſdiction of *London*; and when any ſuch leather or wares are ſeized within any other juriſdiction, the chief Officer, or Lord of the Liberty, or his Deputy, ſhall cauſe triall thereof to be made, by the oath of ſix honeſt men, upon ſome Market-day, and within fifteen dayes after ſuch ſeiſure made.

L. The Lord Mayor of *London*, and the head Officer, and Lord or Deputy aforeſaid, ſhall appoint triers in their ſeveral juriſdictions, in pain of 5 l. to be divided betwixt the King and the proſecutor; and theſe triers ſhall do their duties in that Office without delay, in pain to forfeit for every default 5 l.

LI. Four of the triers in *London* ſhall be yearly changed, and other four placed in their rooms, and none ſhall continue in that Office there above two years; and if any happen to be trier two years together, he ſhall not be choſen again within three years after, in pain to forfeit for every month he continues otherwiſe in that Office 10 l.

LII. No ſearcher or ſealer of leather ſhall refuſe within convenient time to do his office, or allow any wares which are ſufficient, in pain of 40 s. and ſhall not take bribes, or exact more than due fees, in pain of 20 l. nor being lawfully elected ſhall refuſe the office, in pain of 10 l.

LIII. All red tanned leather, which ſhall be brought within the aforeſaid juriſdiction of *London*, ſhall be carried to *Leaden-hall* before it be houſed, and there ſearched, ſealed, and regiſtred by the Officers aforeſaid, for which, if it were ſealed before, (out of the ſaid juriſdiction) they ſhall take half fees only.

LIV. None ſhall ſell any tanned leather within the aforeſaid juriſdiction of *London*, before the Officers there have ſearched and ſealed it, in pain to forfeit the ſame, or the value thereof.

LV. None ſhall withſtand the ſearchers and ſealers in the due execution

execution of their Office, nor the ſeizing of inſufficient wares, in pain of 5 l.

LVI. The aboveſaid ſearchers and ſealers ſhall regiſter all tanned leather ſold in Fairs or Markets, together with the prices thereof, and the names and dwelling-places of the buyer and ſeller (being thereunto required by the ſaid buyer and ſeller) taking as well of the buyer as the ſeller 2 d. for every ten hides, backs, or butt ſole leather, and 2 d. for every ſix dozen of Calf-skins or Sheep-skins, and no more.

LVII. None ſhall ſell any tanned leateer (red or unwrought) before it be regiſtred, in pain to forfeit the value thereof.

LVIII. None ſhall buy any tanned leather before it be ſearched and ſealed, nor carry it out of the Fair or Market before it be regiſtred, in pain to forfeit the ſame, or the value thereof.

LIX. The currier within the juriſdiction of *London* aforeſaid which curtieth not his leather ſufficiently, and every other Artificer there (uſing tanned and curried leather) which putteth into his wares leather inſufficiently, tanned or curried, ſhall forfeit for every ſuch default the ſaid wares, and the juſt value thereof.

LX. No ſuch Artificer ſhall ſell any wares but in open Shop, Fair, or Market, where due ſearch may be made, in pain to forfeit the wares otherwiſe ſold; and beſides ten ſhillings for every ſuch offence.

LXI. Here the ſummes of money aforeſaid forfeited ſhall be divided into three parts, whereof the King is to have one, the proſecutor another, and the City, Corporation, or Lord of the Liberty the third.

LXII. The value of the wares forfeited within the juriſdiction of *London*, after praiſement, ſhall alſo be divided into three parts, whereof one ſhall be given to the ſeiſor, another to the Chamber of *London*, and the third to the poor: And in all other places, one third part to charitable uſes, another to the Head-Officer or Lord of the Liberty, and the third to the ſeiſor or ſeiſors for his or their pains.

LXIII. None ſhall buy any forfeited wares to ſell them again, in pain to forfeit for every parcell thereof 3 s. 4 d.

LXIV. This Act ſhall not prejudice the authority of the Univerſities, ſo that their Officers obſerve the proviſion of this Act under the penalties therein contained.

LXV. The Hides or Skins of Oxe, Steer, Bull, Cow, Calf, Deer, Goats and Sheep, being tanned or tawed, and ſalt Hides, are reputed Leather within the letter of this Statute.

LXVI. Juſtices of Aſſize or Gaol-delivery, and of Peace, Stewards

Stewards of Leets, the Mayor of *London*, and Head-Officers within their ſeveral Precincts, have power to hear and determine theſe offences.

LXVII. The King's Steward of a Leet or Liberty ſhall have the ſame authority, and be ſubject to the ſame penalties, that a Lord of a Leet hath and is ſubject to.

LXVIII. It ſhall be lawfull for all Artificers (ſave onely Shoemakers, between *September* and the twentieth of *April*) to uſe dry, curried and friſed leather, being well tanned according to this Act.

LXIX. This Act ſhall not extend to *Wales*.

LXX. If any Cuſtomer, or other ſuch Officer, having notice of the tranſporting of any leather, do not uſe his beſt endeavor to ſeize it, or being tranſported, do not diſcloſe it within fourty days, he ſhall forfeit for the firſt default 100 l. and for the ſecond loſe his place: And every ſuch Officer, for making a falſe certificate of the arrivall of any leather, ſhall alſo forfeit 100 l.

LXXI. This Act ſhall not extend to *Scotch* Hides brought to *Berwick*.

LXXII. Licenſes to diſpenſe with the offences prohibited by this Act ſhall be void.

LXXIII. **Stat.** 4 *Jac.* 6. There ſhall be no penalty for houſing, buying or ſelling Sheep-skins unſealed.

LXXIV. None ſhall ſell tanned leather by weight, in pain to forfeit the ſame, or the value thereof, to be divided between the King and the proſecutor.

See Title Leather.

☞ Corn and Grain.

I. **Stat.** 5 *Eliz.* 12. None but a married man and houſholder of the age of 30 years (at leaſt) ſhall take upon him to be a Badger, Lader, Kidder, Carrier, Buyer or Tranſporter of Corn or Grain, Butter and Cheeſe; neither he without licence in open Seſſ. of the County where he hath dwelt by the ſpace of three years before, under the hands and ſeals of (at leaſt) three Juſtices (1. *Qu.*) in pain of 5 l. which licence ſhall remain in force for one year onely from the date thereof: and all licenſes otherwiſe granted ſhall be void.

☞ II. The Juſtices of Peace in Seſſions ſhall (at their diſcretions) take recogniſances of Badgers, &c. that ſhall they not foreſtall or ingroſs, or put in practice any Act contrary to 5 and 6 *E.* 6. 41.

III. The

III. The Clerk of the Peace ſhall write and enter the licenſe and recogniſance, and his fees ſhall be, *viz.* for writing the licenſe 12 d. for writing the recogniſance 8 d. and for entring them both into a Regiſter-book 4 d. which Book he ſhall bring to every Seſſions.

IV. This ſhall not give liberty to any Badger, *&c.* to buy Grain out of open Fair or Market (to ſell again) unleſs there be ſpecial words in his licenſe to warrant the ſame, in pain to forfeit for every time ſo offending 5 l.

V. Theſe forfeitures are to be divided betwixt the Queen and the proſecutor.

VI. The Queens moiety ſhall be eſtreated according to the uſual manner, and the proſecutor's levied by *Fieri facias* or *Caplas*; but when the ſuit is wholly the Queen's, the whole ſhall be eſtreated for her uſe.

VII. Juſtices of Peace have power to hear and determine theſe offences in Seſſions by inquiſition or verdict, or otherwiſe upon the oath of two witneſſes, (at their diſcretions) and to make proceſs thereupon.

VIII. This Act ſhall not reſtrain Purveyors of Cities and Towns Corporate, neither yet the inhabitants of the Counties of *Weſtmerland*, *Cumberland*, *Lancaſter*, *Cheſter* and *York*.

☞ IX. Stat. 13 *Eliz.* 13. For the increaſe of tillage, and the maintenance of the Navy and Mariners, the Lords Preſidents and the Councils in the North and *Wales*, Juſtices of Aſſiſe in their Circuits, and Juſtices of Peace in their Seſſions, have power to licenſe or prohibit the tranſportation of Grain at their diſcretions: Provided, their order be firſt approved by the Queen or her Council, which alſo may be countermanded by the Queen's Proclamation, if there be cauſe for it.

X. Stat. 3 *Car.* 4. Corn may be tranſported to the King's Allies when Wheat is ſold for 32 s. Rie for 29 s. Beans for 16 s. and Barley or Malt for 16 s. the quarter, or under.

See Title Trade, *num.* 1.

☞ Coroner.

I. Weſt. 1. 10. 3 *E.* 1. Sufficient men of the moſt wiſe and diſcreet Knights ſhall be choſen in all Counties for Coroners.

II. The Sheriffs ſhall have counterparts with the Coroners of all things which concern their Office.

III. They ſhall take nothing of any man to do their office, but pain of great forfeiture to the King.

IV.

IV Stat. 4 E. 1. *Officium Coronatoris.* See the Statute at large.

V. Stat. *De Exonia, de inquisitione ſuper Coronatores*, 14 E. 1. See the Statute at large, together with the Articles thereunto annexed.

VI. Stat. 14 E. 3. 8. A Coroner ſhall have ſufficient in the County whereof to anſwer all people.

VII. Stat. 28 E. 3. 6. Coroners ſhall be choſen in the full Counties, of the moſt convenient and lawful men; ſaving unto the King and other Lords (that may make Coroners) their Franchiſes.

VIII. Stat. 1 H. 8. 7. Where one is ſlain by miſadventure, the Coroner ſhall execute his office without fee, in pain of 40 s.

IX. Juſtices of Aſſiſe and Peace have power to inquire of and puniſh the defaults and extortions of Coroners.

Corporation.

I. Stat. 19 H. 7. 7. Corporations ſhall not make or execute any Ordinances in diminution of the prerogative of the King, or of other, or againſt common profit, except approved by the Chancellor, Treaſurer, and the chief Juſtices, or three of them, or by the Juſtices of Aſſiſe, in pain of 40 l.

II. They ſhall make no Ordinance to reſtrain ſuits in the King's Court, upon the like pain of 40 l.

III. Stat. 22 H. 8. 4. They ſhall take but 2 s. 6 d. for the firſt entry of an Apprentice, and 3 s. 4 d. for his entry of Freedom, in pain of 40 l. to be divided betwixt the King and the proſecutor.

IV. Stat. 28 H. 8. 5. No Corporation ſhall by oath or bond reſtrain any Apprentice or Journey-man from keeping Shop, or take money of them for their freedom, or the occupying in their ſeſſion, otherwiſe then as is limited by 22 H. 8. 4. in pain of 5 l. to be divided as aforeſaid.

V. Stat. 33 H. 8. 27. In Acts to be done by Corporations, the conſent of the greater part ſhall binde; and the Oath taken by them to the contrary ſhall not be obſerved.

VI. No perſon ſhall hereafter give any ſuch oath, in pain of 5 l. to be divided betwixt the King and the proſecutor.

VII. Stat. 13 *Car.* 2. *ca.* 1. An Act impowering the King to make Commiſſions for governing and regulating Corporations. 25 *March* 1663.

Corpus cum causa, Certiorari, Habeas Corpus & Supersedeas.

I. **Stat.** 2 *H.* 5. *Stat.* 1. 2. If a *Corpus cum causa* or *Certiorari* be granted out of the Chancery, to remove one that is in prison upon an execution, at another man's suit, he shall be remanded.

II. **Stat.** 43 *El.* 5. No Writ of *Habeas Corpus*, or other Writ sued forth to remove an Action, shall be allowed, unless it be delivered unto the Judge, or Officer of the Court, before the Jury appear, and one of them be sworn.

III. **Stat.** 21 *Jac.* 8. Process of the Peace and good behaviour shall not issue out of the Chancery or King's Bench, but upon motion in open Court, and good cause shewed upon oath, which shall also be indorsed upon the Writ: Howbeit if that cause shall be afterwards disproved, the Judge or Judges of the said Courts (respectively) shall commit the offender to prison, until he pay the party grieved all his costs and damages.

IV. All Writs of *Supersedeas* shall be void, unless such process likewise granted upon motion as aforesaid, and upon such sufficient sureties as shall appear to the Court upon oath to be Substantial men assessed at 5 l. lands or 10 l. goods, and also, unless the prosecution against the party for the peace or good behaviour be *Inside*: and here, false sureties procured for the gaining of such Writ shall be punished by the Judges.

V. *Certioraries* shall not be allowed, unless the indicted will become bound with sufficient sureties (such as the Justices of Peace in Sess. shall like of) to pay to the prosecutor within one month after conviction such costs and damages as the said Justices shall assess.

VI. **Stat.** 21 *Jac.* 23. No Writ to remove a suit commenced in an inferiour Court shall be obeyed, unless delivered to the Steward, *&c.* of the same Court before issue or demurrer joyned; as such issue or demurrer be not joyned within six weeks after the arrest or appearance of the Defendant.

VII. An Action or suit once remanded shall never afterwards be again removed.

VIII. When the thing in demand exceedeth not 5 l. the suit shall not be removed by any Writ save only by Writs of Error or attaint.

IX. This Act shall only extend to Courts of Record, where no Utter-barister of 3 years standing is Judge, Recorder, Steward, or

Clerk or assistant to such Officer there, and not of Council in any Action there depending.

X. Neither shall this Act extend to any Action which cannot be tried in such inferiour Courts.

Cousenage, Ayel and Besayel.

1. West. 2. 26. 13 E. 3. In Writs of *Cousenage*, *Ayel* and *Besayel*, the tenant's answer (that the Plaintiff is not next heir of the same Ancestor, by whose death he demandeth his land) shall be admitted and inquired, and according to the same inquisition the Justices shall proceed to judgment.

Cottages.

1. Stat. 31 El. 1. None shall erect or convert a building to be a cottage for habitation, unless he lay four acres of free-hold land of inheritance so near unto it, that they may be conveniently occupied therewith, in pain to forfeit 10 l. to the Queen for every such erection or conversion, and 40 s. a moneth for the continuance.

II. No owner or occupier of any Cottage shall place or willingly suffer any more families then one to co-habit therein, in pain to forfeit to the Lord of the Leet 10 s. for every moneth he so continues them together.

III. Justices of Assize, Justices of Peace in their Sessions and Lords of Leets, have power to hear and determine these offences.

IV. This Statute shall not extend to Cottages in Cities, Burroughs or Market-towns, or provided for labourers in Mines or Quarries within one mile from such Mines or Quarries, or for Sea-faring men within one mile of the Sea or a Navigable River, or for a Keeper, Warrener, Shepherd or Herdsman, or for an impotent person; nor to any Cottages which upon an order by Justices of Assize in open Assize, or Justices of Peace in Session, shall be decreed to continue for habitation, for so long time onely as by such decrees they shall be tolerated.

Counterfeit Letters.

1. Stat. 33 H. 8. 1. If any shall fasly obtain any money or other thing by colour of any false token or counterfeit letters, they

being thereof convict by witneſſes or confeſſion before the Lo Chancellor, the Lords of the Council in the Star-chamber, Juſti ces of Aſſize, Juſtices of the Peace, or by action in any Court o Record, ſhall ſuffer ſuch pnniſhment as ſhall be adjudged by t perſon or perſons before whom they ſhall be ſo convict, the pains o death onely excepted.

II. Juſtices of Aſſize, and Juſtices of Peace (1. *Qu.*) ſhall ha power to convert (by proceſs, or otherwiſe) to the Aſſ. or Seſſ. re ſpectively any perſon ſuſpected to offend in that kinde, and to com mit or bail him until the Aſſ. or Seſſ. or otherwiſe to order him a their diſcretions.

III. Juſtices in Corporations have like Authority for the puniſh ment of ſuch offenders as Juſtices of Aſſize or Peace have in the ſeveral Precincts reſpectively.

IV. The remedy of the party grieved by way of action is ſaved.

County and Turn.

I. **Magna Charta**, 35. 9 *H.* 3. County-Courts ſhall be hel from moneth to moneth, or longer, if formerly ſo uſed; and th Sheriff (or his Bailiff) ſhall keep his Turn in the Hundred at th uſual place, and that onely twice a year, *viz.* after *Eaſter* and *Michaelmas*: Leets alſo ſhall be at *Michaelmas* without occaſion.

II. **Marlb.** 10. 25 *H.* 3. Arch-biſhops, Biſhops, Abbots, Prior Earls, Barons, or Religious men or women, are not to appear the Sheriff's Turns, except for ſome other cauſe; and ſuch a have Hundreds of their own ſhall not be bound to appear at ſuch Turns, but onely in the Bailiwicks where they dwell.

III. **Weſt.** 2. 32. 3 *E.* 1. No Sheriff ſhall ſuffer Barretors Maintainers of quarrels, or Stewards of great Lords, or other (un leſs Attorney for his Lord) to make ſuit, or to give judgment i the Counties, or to pronounce them, if he be not required ſo to do by all the ſuitors and Attorneys of the ſuitors there preſent, in pai that both the Sheriff and they ſhall be grievouſly puniſhed by th King.

IV. **Stat.** 31 *E.* 3. *Stat.* 1. 15. Every Sheriff ſhall hold his Turn yearly one time within the moneth after *Eaſter*, and another time within the moneth after *Michaelmas*, in pain to loſe his Tur for the time.

V. **Stat.** 19 *H.* 7. 24. The Shire-Court for *Suſſex* ſhall b holden one time at *Chichester*, and the next time at *Lewis*, *alter vicibus*, in pain that the Courts otherwiſe kept; and the thing therein tranſacted, ſhall be void.

V

VI. Stat. 2. 3 E. 6. 25. County-Courts ſhall be adjourned from moneth to moneth, and no longer.

VII. The Sheriff of *Northumberland* ſhall keep his County-Court at *Alnwick*, and not elſewhere.

☞ Coupers.

* I. Stat. 23 H. 8. 4. A Beer or Ale-brewer ſhall neither by himſelf nor others (for his uſe) make any veſſel whereby they ſhall put their Beer or Ale to ſale, but ſuch onely as ſhall be made and marked as is hereafter expreſſed, in pain to forfeit for every veſſel ſo made, 3 s. 4. d.

II. Coupers ſhall make their Beer and Ale-veſſels of good and ſeaſonable wood, and put their proper mark thereupon.

III. A Beer-barrel ſhall contain at leaſt 36 Gallons, a Kilderkin 18, and a Firkin 9. and an Ale-barrel 32 Gallons, a Kilderkin 16, and a Firkin 8. all of the King's Standard Gallon: And if the Couper make any bigger or leſſer, he ſhall ſet the true content upon them. Alſo the Couper ſhall not inhaunce the prices of his veſſel, in pain to forfeit for every ſuch veſſel defective or inhanced in price 3 s. 4 d. *viz.* for a Beer-barrel 9 d. a Beer-kilderkin 5 d. and a Beer-firkin 3 d. Alſo for an Ale-barrel 16 d. an Ale-kilderkin 9 d. and an Ale-firkin 5 d.

Note, that this clauſe, for ſo much as concerns the prices of veſſels, is repealed by 8 El. 9. *But Quære whether it doth not yet ſtand in force for defective veſſels.* Vid. 8 El. 9. infra.

IV. No Beer or Ale-brewer ſhall put any Beer or Ale for ſale in any veſſel which is not marked by the Couper, and of the contents above limited.

☞ V. Beer and Ale-brewers ſhall ſell their Beer and Ale at ſuch rates as ſhall be thought fit (in the Country) by the Juſtices of Peace, and (in Corporations) by the Head-officers; in pain to forfeit for every Barrel 6 s. Kilderkin 3 s. 4 d. Firkin 2 s. and for every greater veſſel 10 s. and every leſſer 12 d.

VI. The forfeitures aboveſaid ſhall be divided betwixt the King and the proſecutor.

VII. Every Soap-maker ſhall cauſe his veſſell to be made as followeth: *viz.* every empty Barrel to contain 32 Gallons, and to weigh 26 pounds; the content of the half Barrel to be 16 Gallons, and the weight 13 pound; and the content of the Firkin 8 Gallons, and the weight ſix pound and an half; in pain to forfeit for every veſſel otherwiſe ordered 3 s. 4 d.

VIII. The Wardens of the Myſtery of Coupers within the City of *London* (taking with them an Officer of the Mayor) ſhall have

power to ſearch and gage all veſſells made for Ale, Beer and Soap, to be put to ſale within *London* and the Suburbs, and within two miles compaſs without the Suburbs, (as well within the Liberties as without) and to examine their contents and weight, and (being found right) to mark them with St. *Anthonie's* croſs: which ſearchers ſhall have for their fee a farthing for every veſſel, to be paid by the owner thereof, and may retain the veſſel until the fee be paid; and if any be found defective, they have power to amend or burn them, and the owner of ſuch defective veſſel ſhall forfeit 12 d. to be diſpoſed as aforeſaid.

IX. In other places where there are no Wardens, the Head-officers ſhall doe it, and ſhall have the like power and advantage as thoſe of *London*.

X. This ſhall not prohibit a Beer-brewer to keep in his houſe a ſervant for to mend his veſſels.

XI. If any ſhall diminiſh a veſſel, by taking out the head or a ſtaff thereof, the veſſel ſhall be burnt, and the offender ſhall forfeit 3 s. 4 d. (to be diſpoſed as aforeſaid) and ſhall be farther puniſhed at the diſcretion of the Head-officers.

XII. An Ale-brewer may alſo retain a Couper in his ſervice to mend his veſſels.

XIII. Every Couper ſhall make his Ale-veſſel according to the Aſſize expreſt in the Treatiſe called *Compoſitio menſurarum, viz.* every eight Gallons thereof to contain a Buſhel, according to the Aſſize limited by that Ordinance (which was made 51 *H.* 3.) in pain to forfeit for every veſſel otherwiſe made 3 s. 4 d. to be diſpoſed as aforeſaid.

XIV. Every Couper ſhall mark his veſſel with his own mark, in pain of 3 s. 4 d. to be levied and recovered as aboveſaid.

XV. The Searchers ſhall not put out the Ale to meaſure the veſſel, whereby it may be made worſe.

XVI. This ſhall not prohibit to carry Ale to the Houſes of his Majeſty and Honourable perſons in great veſſels, as Butts, Pipes, &c. And Ale-brewers may convey Ale to any man's houſe in Barrels, Kilderkins and Firkins, being the due content.

* XVII. **Stat. 8 *Eliz.* 9.** So much of the Statute of 23 *H.* 8. 4. as concerns the prices of veſſels is repealed.

XVIII. Coupers ſhall ſell their veſſells at ſuch rates as ſhall be yearly aſſeſſed (in Corporations) by the Head-officers, and (in the Country) by the Juſtices of Peace (or the more part of them) in the Seſſ. after *Eaſter*.

XIX. If (after proclamations of the rates ſo aſſeſſed) any Couper ſhall ſell otherwiſe, he ſhall incurr ſuch penalties as by the

the ſaid Statute of 23 H. 8. 4. is ordained, *viz.* for every Barrel, Kilderkin and Firkin, 3 s. 4 d. to be impoſed and diſpoſed as in the ſame Statute is expreſt for ſelling ſuch veſſel above the due price.

Courts.

I. *In the time of* H. 8. *there were* (*amongſt others*) *three new Courts erected*, viz. *thoſe of the Augmentations, Firſt-fruits and Tenths, and General Surveyors: But theſe were afterwards annexed to the Exchequer by divers Acts of Parliaments, and Letters Patents of* H. 8. *and Qu.* M. *Nevertheleſs, in ſome of theſe Acts there remains yet ſomewhat in force, as hereafter followeth.*

II. **Stat. 33 H. 8. 39.** All Obligations and Specialties concerning the King ſhall be made to him and his heirs, Kings, in his own name, by theſe words, *Domino Regi*, and to no other perſon; and then for payment, *Solvendum Domino Regi, hæredibus, vel executoribus ſuis*, with other words uſed in common Obligations: and ſuch Obligations ſhall be of the nature of Statutes-ſtaple: and if the King die, leaving ſuch Obligations, they ſhall remain to his heirs or executors at the Kings pleaſure.

III. If any take Obligation that concerns the King in another manner, they ſhall ſuffer impriſonment, as ſhall be ordered by the King's Council.

IV. All ſuits for the King's debts in any Court mentioned in this Act upon any Obligation or Specialty delivered before this Act, or to be delivered before the ſecond day of *May* next, ſhall be proſecuted in the King's name, to what perſon ſoever ſuch Obligation or Specialty were made; and they ſhall be of the nature of Statutes-ſtaple as before.

V. The King in all ſuits for debts ſhall recover his coſts and damages.

VI. Suits for the King's debts ſhall be in the proper Courts where they ſhall be due, whether it be the Exchequer, Dutchy, Augmentations, Surveyors, Wards and Liveries, Firſt-fruits and Tenths, or any of them; out of which ſuch proceſſes ſhall iſſue for the ſpeedy recovery of them, as the Court ſhall think fit.

VII. The ſaid Courts ſhall have power to hear and determine all actions, defaults, offences, and other things which ſhall ariſe upon any matter committed to the governance of the ſame Courts, wherein the King ſhall be only party; and alſo all eſtates for term of years betwixt party and party concerning the premiſſes, all treaſons,

sons, felonies and estates of free-hold and inheritance; other, then joyntures for term of life onely, excepted.

VIII. If any person shall make title to any lands sold or exchanged to any in fee-simple or fee-tail by the King's Letters Patents, upon which a rent is reserved to the King, his heirs and successors, in the Court of Augmentations, or shall demand any rents, annuities, officers fees, or other profits, out of lands in fee-simple or in fee-tail, comprised in any Letters Patents; or if the King shall make like title or claim to any lands of inheritance, or profits out of lands, assigned to the said Court in any Letters Patents; that the said Court, or more part of them, shall hear and determine such titles and claims, and (without other Warrant) make recompence to the party grieved.

IX. If any Decree of the Court of Augmentation for any of the premisses extend onely to the loss of the Patentee, for the life of the Demandant or Plaintiff, or for term of years; then shall the Chancellor of that Court (without any other Warrant) make recompence in money, or out of lands limited to the survey of the same Court.

X. The aforesaid Courts shall have power to set fines and amerciaments, and upon trials and other proceedings there, to examine by such proofs and in such manner as they shall think fit; and the proceedings and decrees of the said Courts shall be effectual in Law.

XI. The chief Officers of those Courts may (without any other warrant) discharge all bonds and recognisances there hanging, the debts being satisfied, and the conditions performed; and may also make void all recognisances for appearance or other contempt.

XII. If any person to whom the King hath granted (with reservation of rent) any lands of inheritance or for life within the survey of any of the said Courts, do not pay yearly unto the Treasurer or Receiver General of the said several Courts, at the day limited, or within three moneths after, all summs of money so reserved, or make sufficient tender thereof unto the said Treasurer or Receiver, he shall forfeit so much as the fourth part of the said yearly rent shall amount unto: and if he pay not the rent and money forfeited, as aforesaid, within six moneths, he shall forfeit so much as half the rent amounts unto; and for every half year after, shall forfeit so much as the whole year's rent doth amount unto.

XIII. The Treasurer or Receiver General may distrain for the said rents and forfeitures, and the Head-officers of the said Courts may issue out process for the recovery of the same at their discretions.

XIV.

XIV. A Treaſurer, or Receiver general or particular, ſhall ſign with his own hand a lawful acquittance ready made to be ſigned by him without any fee, in pain of 40 s. to be divided betwixt the King and the proſecutor; and if the Treaſurer or Receiver or their Clerks make and ſign one, they ſhall take but 4 d. for it, in pain to forfeit 20 s. for every acquittance for which they take more, to be divided as aforeſaid: and every acquittance ſhall be a ſufficient diſcharge according to the tenor thereof.

XV. If any Receiver or his Clerk pay a penſion, or other annuity or rent, and have a ſufficient acquittance ſigned, ſealed and delivered unto him by the party that is to receive ſuch payment, he ſhall take nothing for ſuch acquittance, in pain to forfeit 20 s. and if the Receiver or Clerk provide ſuch acquittance, he ſhall not take above 4 d. for the ſame, in pain to forfeit alſo 20 s. neither ſhall the Receiver or his Deputy take above the rate of 4 d. in the pound for money which he ſhall ſo pay, in pain to forfeit 6 s. 8 d. for every penny he takes above. The ſaid forfeitures are to be divided betwixt the King and the proſecutor.

XVI. The Auditor that takes above 3 s. 4 d. for enrolling any Patent, Decree or Grant, ſhall forfeit 6 s. 8 d. for every penny ſo taken, to be divided as aforeſaid; and he ſhall enroll them (being tendred unto him) or as much thereof as concerns his office.

XVII. Auditors ſhall cauſe Proclamation to be made in four Market-towns in twenty days (at leaſt) before their coming into the County to keep their *Audit*, in pain of 5 l.

XVIII. Auditors ſhall ſend out their Precepts for the *Audit* betwixt *Michaelmas* and *Chriſtmas*.

XIX. An Accomptant that (after notice) doth not appear at the *Audit*, or appearing refuſeth to accompt, or accompting defers to pay his charge to the Receiver above three weeks after, or conceals or withdraws any rent or other profit, ſhall forfeit his Office and fee, and for concealing or withdrawing ſhall forfeit three times ſo much as is concealed or withdrawn, proof of the ſaid defaults being made to the Head-officer of any of the ſaid Courts; and the ſaid Courts ſhall thereupon award proceſs in the nature of Attachments for remedy thereof.

XX. In all actions for debts accruing to the King upon attainder, outlawry, forfeiture, gift, or other collateral way, it ſhall be ſufficient to ſhew generally, that the party unto whom ſuch debt did belong, ſuch year and day did give it to the King, or was attainted, outlawed, or other act committed whereby it came to the King, without alledging the particular circumſtances: And in ſuch caſe the King ſhall be preferred both in ſuit and execution, before any other perſon whatſoever.

XXI.

XXI. Lands of inheritance, which were the King's debtors, are chargeable with the King's debts, unto whomsoever (after the debtors death) they shall descend, remain, or come.

XXII. The Kings debts are payable by the heir, though he be not named in the Recognisance, Bond, or other Specialty, and notwithstanding the land which comes unto him be intailed.

XXIII. The Executor and Administrator are also chargeable, if they have Assets.

XXIV. This Act shall not prejudice any who claim the lands chargeable by any just and former title without fraud.

XXV. Upon sufficient cause shewed why the lands should not be charged, the Court shall discharge them of the King's debt.

XXVI. If the lands chargeable be in several mens tenures, they shall be intirely charged, and not severally.

XXVII. This Act shall not diminish any of the Liberties or Priviledges of the Dutchy or County Palatine of *Lancaster*.

XXVIII. All Processes and Executions for debts growing in the Exchequer shall be made by the Officers of that Court, but in such kind as is limited by this Act.

XXIX. **Stat.** 1 *M. Parl.* 1. 10. The Queen may by her letters Patents alter, dissolve, or reduce into one or more the Courts of Augmentations, First-fruits and Tenths, Wards, Surveyors, and the Dutchie; or may annex any of them together, or unto any other Court of Record; or erect of the same any other new Court or Courts.

XXX. Provided, that nothing in the said Letters Patents to be contained shall charge the Subject otherwise than as he ought to have been charged before the second day of this Parliament; and that the Officers of the said Courts shall not hold Plea, but only where the Queen is party against any of her Subjects.

XXXI. Provided also, that if the Queen shall annex any of the said Courts to the Exchequer, all things within the survey of the Court or Courts so annexed shall be ordered the Exchequer-way; saving to all persons their Offices, Rents, Annuities and Fees, to be paid out of any of the Queens Courts, where there shall be sufficient revenue to answer the same.

XXXII. **Stat.** 16 *Car.* 10. 17. *cap.* 10 The Court of Star-Chamber, the Court holden before the Presidents and Councils in the Marches of *Wales* and the Northern parts, the Court of the Dutchy of *Lancaster*, holden before the Chancellor and Council of that Court, the Court of Exchequer of the County Palatine of *Chester*, holden before the Chamberlain and Council of that Court, and all other Courts of like Jurisdiction, and also all Warrants and Directi-

ons

ons of the Council-board for commitments, reſtraints or impriſonments awarded by the King or his Council, are abſolutely diſſolved, annulled, and made void. *See the Statute at large.*

XXXIII. **Stat.** 16. 17 *Car.* 15. An Act made againſt divers incroachments and oppreſſions in the Stannary Courts. *See the Statute at large.*

XXXIV. **Stat.** 12 *Car.* 2. *cap.* 24. The Court of Wards and Liveries, and all Wardſhips, Tenures *in capite*, liveries, *Primer ſeiſins, Ouſter le maines, &c.* and other dependencies upon the ſaid Court, taken away and diſcharged, and the Act of 32 *H.* 8. *cap.* 6. & 33 *H.* 8. *cap.* 22. repealed.

XXXV. *Proviſo*, Not to take away any rents, heriots or ſuits of Court, or other ſervices belonging to tenures now taken away, or in common ſoccage, or to grow due to the King, mean Lord or other private perſons, or the fealty and diſtreſs incident thereunto: and ſuch relief ſhall continue in reſpect of ſuch rent, as is paid in caſe of death of tenant in common ſoccage.

XXXVI. Nor to take away any fines for alienations due by particular cuſtoms, of particular manners and places, other then for lands held of the King *in capite*.

XXXVII. Nor to take away tenures in frank-almoign, nor alter any tenures by copy of Court-Roll, nor any ſervices of Grand-ſergeanty, other than Wardſhip, Marriage, and aids aforeſaid.

XXXVIII. Parents may diſpoſe of the cuſtody of their children untill they attain the age of 21 years.

Courts and Juriſdictions Eccleſiaſtical.

I. **Stat.** 17 *Car.* 1. *cap.* 11. A recital of the branch of the *Stat.* 1 *El. cap.* 1. whereby the high-Commiſſion Court was erected, for viſiting, reforming and correcting all Hereſies, Schiſms, *&c.* and a Repeal of the ſame: And enacted that no new Court be erected with like Power, Juriſdiction or Authority: but all Letters patents for that purpoſe, and all authorities thereby granted, to be void.

II. **Stat.** 13 *Car.* 2. *cap.* 2. Reciting the Act of 17 *Car.* 1. *cap.* 27. for diſinabling all perſons in holy orders to exerciſe any temporal juriſdiction or authority, and that the ſame having made ſeveral alterations prejudicial to the ancient rights of Parliament, and contrary to the laws of the land, and by experience is found inconvenient, doth repeal and adnull the ſaid recited Act to all intents and purpoſes whatſoever.

III. Stat. 13 *Car.* 2. *cap.* 12. An explanation of a clauſe contained in the Act of 17 *Car.* 1. *cap.* 11. touching the repeal of a branch of the Statute of 1 *El. cap.* 2. *viz.* It is declared, That neither the ſaid Act nor any thing therein contained doth take away any ordinary power or authority from the ſaid Arch-biſhops, Biſhops or perſons therein named, but that they may uſe all Eccleſiaſtical jurisdiction as formerly in cauſes belonging to the ſame.

IV. *Proviſo*, and enacted, that it ſhall not be lawfull for any Arch-Biſhop, Biſhop, Chancellor, or other Eccleſiaſtical Judge, Officer, or perſon having or exerciſing Spiritual or Eccleſiaſtical jurisdiction to tender or adminiſter unto any perſon whatſoever the oath *ex officio*, or any other oath whereby ſuch perſons to whom the ſame is adminiſtred may be charged or compelled to confeſs, or accuſe, or purge him or her ſelf of any criminal matter or thing, whereby he or ſhe may be liable to cenſure or puniſhment.

V. *Proviſo*, Not to give any other jurisdiction to any Arch-Biſhops, *&c.* then they had by law before the year 1639. nor to abridge or diminiſh the Kings Supremacy in Eccleſiaſtical matters, nor to confirm the Canons made in the year 1640. nor any law or Canons not formerly confirmed or enacted by Parliament, or eſtabliſhed by the Laws as they ſtood in the year 1639.

☞ Croſs-bows and Hand-guns.

I. Stat. 33 *H.* 8. *6.* None ſhall ſhoot in or keep in his houſe any Croſs-bow, Hand-gun, Hag-but, or Demihake, unleſs his lands be of the value of 100 l. *per annum*, in pain to forfeit 10 l. for every ſuch offence.

II. None ſhall ſhoot in or have any Hand-gun under the length of one yard, nor Haghut or Demihake under the length of three quarters of a yard, in pain to forfeit 10 l. And it ſhall be lawfull for any man, having lands of 100 l. *per annum*, to ſeize any ſuch Gun or any Croſs-bow uſed or kept contrary to the form of this Statute; but then he ought to break them within 20 days after, in pain of 40 s.

III. None ſhall travell with a Croſs-bow bent, or Gun charged, except in time of war, or ſhoot within a quarter of a mile of a City, Borough, or Market-Town, except for the defence of himſelf or his houſe, or at a dead mark, in pain of 10 l.

IV. None ſhall command his ſervant to ſhoot in any Gun or Croſs-bow, except at a dead mark, or in time of war, in pain of 10 *l.*

V. The penalties aboveſaid ſhall be divided betwixt the King and the proſecutor.

VI. How-

VI. Howbeit the followers of Lords (Spiritual or Temporal) Knights, Eſquires, Gentlemen, and the inhabitants of Cities, Burroughs, or Market-towns, may keep in their houſes, and uſe to ſhoot (but at a dead mark only) with Guns, not under the lengths above ſaid; ſo may the Owner of a Ship for the defence of his Ship, and alſo he that dwells two furlongs diſtant from a Town, or within five miles of the Sea-coaſt; and this laſt may ſhoot at any wild beaſt or fowl, ſave only Deer, Heron, Shovelard, Feſant, Partridge, wild Swan, or wild Elke.

VII. Thoſe which have power from the King to take away Guns and Croſs-bows in Foreſts, Parks and Chaſes, may retain the ſame, notwithſtanding this Act; ſo likewiſe may Smiths and Merchants, that make or ſell them, the ſeveral lengths aboveſaid being duly obſerved.

☞ VIII. It ſhall be lawfull for any perſon to convey the party offending againſt this Act before the next Juſtice of Peace, who upon due examination and proof ſhall have power to commit him to priſon, there to remain till he hath ſatisfied the penalty, which in this caſe ſhall be divided betwixt the King and the party that ſo takes the offender.

IX. Every Placart granted by the King, which expreſſeth not at what beaſts or fowl the Grantee ſhall ſhoot, and where the Grantee entreth not into a Recogniſance of 20 l. in the Chancery to ſhoot at no other, ſhall be adjudged void.

X. Juſtices of Peace in Seſſions and Stewards of Leets have power to hear and determine theſe offences.

XI. When the conviction is in Seſſions, the whole forfeiture is to be levied to the Kings uſe; when in a Leet, the one half is the Kings, and the other half ought to be divided betwixt the Lord and the proſecutor.

XII. Here, if a Jury ſhall willingly conceal any thing, the Juſtices, or Steward, have power to impannel another Jury, by whom if the firſt Jury be found guilty of concealment, they ſhall forfeit 20 s. a piece, *viz.* to the King, if it be in Seſſions, but if in a Leet, then the one half to the Lord, and the other half to the proſecutor.

XIII. Forfeitures ariſing by this Act ſhall be ſued for, *viz.* by the King within one year, and by a common perſon within ſix months, otherwiſe they ſhall be loſt.

XIV. A ſervant upon command may uſe his Maſters Croſs-bow or Gun (not prohibited by this Act) ſo as he ſhoot at no fowl, Deer, or other game; and may alſo, by a licenſe in writing, carry it to any place to be mended.

☞ XV. Stat. 2. 3 E. 6. 14. None under the degree of a Baron ſhall

ſhall ſhoot in any Hand-gun within any City or Town, at any fowl whatſoever, or with any hail-ſhot, in pain of 10. l. and 3 months imprisonment.

XVI. This Act ſhall not reſtrain thoſe who according to the value of their land are authorized to ſhoot by 33 *H.* 8. 6. ſo that they forbear to uſe any hail-ſhot; and all other that preſume to ſhoot ſhall preſent their own names, *viz.* (in a Corporation) to the Mayor or Head-officer, and (in the County) to the next Juſtice of Peace, in pain of 20 s. and the ſaid Juſtice or Head-officer is to ſet them recorded at the next Seſſions in like pain of 20 s. which forfeitures are to be divided betwixt the King and the proſecutor.

Croſſes.

I. Weſt. 2. 33. 13 *E.* 1. Lands where Croſſes be ſet, with purpoſe that the tenants thereof ſhould defend themſelves againſt the chief Lord or Lords, by the Priviledges of Templars and Hoſpitallers, ſhall be forfeited as lands aliened in Mortmain.

☞ Crown.

I. Stat. 14 *E.* 3. The Realm and people of *England* ſhall not be ſubject or obedient to the King or Kingdom of *France*.

II. Stat. 7 *H.* 4. 2. The Crown of *England* and *France* were intailed to the King and his four ſons by name.

III. Stat. 35 *H.* 8. 1. The Crown of *England* is intailed to the King's daughter, the Lady *Mary*, the remainder to the Lady *Elizabeth*, the remainder to ſuch as the King by his Letters Patents or laſt Will in writing ſhould limit.

* IV. Stat. 1 *El.* 1. No forein Potentate or perſon ſhall exerciſe any power within any of the Queenes Dominions, and all Eccleſiaſtical Juriſdiction is annexed to the Crown; ſo that the Queen and her ſucceſſors by Letters Patents may authorize any Subject born to exerciſe the ſame.

V. For the better obſervance of this Act, every Eccleſiaſtical perſon, and every officer, both Eccleſiaſtical and Temporal, and all the Queens ſervants, are enjoyned to take the Oath following.

VI. *I A. B. do utterly teſtifie and declare in my conſcience, that the Queens Highneſs is the only Supreme Governour of this Realm, and of all other her Highneſs Dominions and Countreys, as well in all Spiritual or Eccleſiaſtical things or caſes, as Temporal; and that no forein Prince, Perſon, Prelate, or Potentate, hath, or ought to have any juriſ-*

jurisdiction, power, supremacy, preeminencie or authority Ecclesiastical or Spiritual within this Realm; and therefore do utterly renounce and forsake all forein jurisdiction, powers, superiorities and authorities: and do promise, that from henceforth I shall bear faith and true allegiance to the Queens Highness, her heirs and lawful successors, and to my power shall assist and defend all jurisdictions, priviledges, preeminencies and authorities, granted or belonging to the Queens Highness, her heirs and successors, or united and annexed to the Imperial Crown of this Realm. So help me God, and by the Contents of this Book.

VII. He that refuseth this oath shall forfeit his Spiritual or Temporal promotion or Office, during his life: And every person, before he be admitted to any such promotion or Office, shall take the said oath before such persons as shall have authority to minister the same: and in case he refuse it, he shall be adjudged uncapable of such promotion or office.

VIII. Every person suing Livery or *Ousire le main*, doing homage to the Queen, received into the Queens service, taking orders or degrees in the Universitie, shall take the said oath; the first three before the Lord Chancellor or Keeper of the Great Seal, the fourth before the Ordinary or Commissary, and the last before the Chancellor or Vice-chancellor, or their Deputies.

IX. Provided, if any having a Temporal Office of inheritance, shall at first refuse to take the said oath, and yet doth afterwards take it, he shall be restored to his office.

X. None shall affirm or maintain the power or jurisdiction of any forein Prelate or Potentate within the Queens Dominions, in pain to forfeit all his goods and chattels; and if he be not worth 20 l. at the time of his conviction, he shall forfeit all he hath, and besides suffer one whole years imprisonment without bail: and here, for the second offence, he shall incurre a *præmunire*; and for the third, shall be adjudged guilty of High Treason, but this offence must be prosecuted within one year after it is committed; and if the offence be by preaching, teaching, or words onely, the prosecution by indictment shall be within six months, otherwise the offender shall be set at liberty.

XI. If he be a Clergy-man beneficed, upon the first conviction all his spiritual promotions shall be void.

XII. A Peer of the Realm, guilty of such an offence, shall be tried by his Peers.

XIII. No Act for any matter of Religion or cause Ecclesiastical made by this Parliament shall be adjudged any errour, heresie, or Schism: neither shall any person, to whom the Queen, her heirs

and ſucceſſors ſhall give authority to execute ſpiritual juriſdiction, have power to adjudge any matter to be Hereſie, ſave only ſuch as have been ſo adjudged by Can. Scripture, or by one or more of the General Councils; or ſhall be ſo adjudged by the Parliament with the aſſent of the Clergie in their Convocation.

XIV. No perſon ſhall hereafter be indicted or arraigned for any of the offences made by this Act, but by two or more ſufficient witneſſes to be produced *viva voce* to teſtifie the ſame.

XV. No perſon ſhall be queſtioned for relieving, aiding, or comforting any ſuch offender, unleſs it be teſtified by two witneſſes (at leaſt) that at the time of ſuch relief, *&c.* he had notice of the offence committed.

XVI. **Stat. 1** *El.* 3. The Parliament acknowledge the Queen to be right heir to the Crown, and promiſe to defend her and the heirs of her body in that eſtate.

XVII. The limitation of the Crown contained in 35 *H.* 8. 1. ſhall ſtand and remain Law for ever; and all clauſes of Statutes and other things heretofore paſſed againſt the ſame, ſhall be void.

*XVIII. **Stat. 5** *Eliz.* 1. None ſhall maintain the juriſdiction of the Biſhop or See of *Rome* within any of the Queens Dominions in pain to incurre a *Præmunire*, both they and their acceſſaries.

☞ XIX. Juſtices of Aſſize, and Juſt. of Peace, in Seſſions, or any two of them (1 *Qu.*) have power to hear and determine this offence, and are to certifie ſuch preſentments into the Kings Bench within 40 days after they receive them, if it ſhall be then Term-time; if not, then the firſt day of the Term then next enſuing, in pain of 100 l. The Juſtices of the Kings Bench alſo, as well upon ſuch certificate, as alſo before themſelves, have power to hear and determine the ſame offence.

XX. All perſons appointed to take the Oath of Supremacy by 1 *El.* 1. and all other perſons taking orders, preferred to any degree in the Univerſities, School-maſters, publick and private, all perſons taking any degree of Learning in the Laws in the Inns of Court or Chancery, all Attorneys, Protonotaries, Philizers, Sheriffs, Eſcheators, Feodaries, all perſons admitted to any Miniſtry or Office belonging to the Common Law, or other Law or Laws, and all Officers and Miniſters of every Court, ſhall take the ſaid Oath *verbatim*, before they be admitted to exerciſe ther Office, Miniſtry, or profeſſion; which Oath ſhall be adminiſtred in open Court unto the Officers and Miniſters of Courts, and unto ſuch as belong not to any Court, in ſome open place, in the preſence of a convenient aſſembly, and before other perſon authorized to give it by common uſe, commiſſion, or otherwiſe.

XXI.

XXI. Archbiſhops and Biſhops have power to miniſter the ſaid Oath within their proper Dioceſs.

XXII. The Lord Chancellor or Keeper (without further warrant) may direct Commiſſions to tender it.

XXIII. None compellable to take this Oath by this Act, or that of 1 *Eliz.* ſhall refuſe to take it, in pain to incurre a *Præmunire*; ſo that they be indicted or preſented for ſuch default within a year.

XXIV. Every perſon having authority to tender this Oath, ſhall within 40 days after the refuſal thereof, if it be then Term-time, if not, then the firſt day of the next Term, certifie under his hand and ſeal the name, place and degree of the perſon ſo refuſing, unto the King's Bench, in pain of 100 l. And the Sheriff of the County ſhall impannel a Jury of the ſame County, to inquire upon ſuch refuſal, which Jury may, upon evidence, indict the party refuſing, as well as if the indictment were preferred in the proper county.

XXV. If any refuſe to take this Oath upon the ſecond tender, or being formerly convicted of maintaining the juriſdiction of the Biſhop or See of *Rome*, as aforeſaid, do commit the like offence the ſecond time; in both caſes, both they and their acceſſaries ſhall ſuffer as in caſe of High Treaſon. But here there ſhall be no corruption of blood, diſheriting of any heir, forfeiture of Dower; or prejudice to the right of any, ſave onely of the offender, during his life; and then the party next in reverſion, or remainder, may enter without out any *Ouſtre le main* to be ſued. Here alſo none ſhall be deemed an acceſſary for giving of alms in charity to the offender without fraud.

XXVI. This Oath ſhall be expounded in ſuch form as is ſet forth in an admonition annexed to the Queen's Injunctions, publiſhed in the firſt year of her reign, *viz.* to acknowledge in her Majeſty, her heirs and ſucceſſors, ſuch authority as was challenged and uſed by *H.* 8. and *E.* 6. and none other.

XXVII. This Act ſhall be publiſhed every Quarter-ſeſſions by the Clerk of the Peace, and at every Leet by the Steward there, and once every Term in the open hall of every Inns of Court and Chancery, at ſuch times and by ſuch perſons as ſhall be appointed by the Lord Chancellor or Keeper for the time being.

XXVIII. Every member of the Commons Houſe, before he shall have a voice there, ſhall take this Oath before the Lord Steward or his Deputy; and if he enter the Houſe before he take it, he ſhall incurre ſuch penalties as he who preſumes to ſit there without election, return, or authority.

XXIX. None of or above the degree of a Baron ſhall be compelled to take this Oath; and a Peer offending this Act ſhall be tried by his Peers.

XXX. Provided that none shall be compellable to take this Oath upon a second tender, or be in danger (by refusal thereof) to incurre the penalty of High Treason, save onely Clergie-men, Officers of Ecclesiastical Courts, or such as shall not observe the rites of Divine service, do deprave by words or writing the Rites and Ceremonies of the Church of *England*, or do use to say or hear private Mass.

XXXI. It shall not be lawfull to slay one attainted in a *Præmunire*.

XXXII. Saving the due execution of every person attainted upon judgment lawfully given by reason of this Statute, or otherwise; and saving all such pains of death, or other punishment, as heretofore might without danger of Law be done upon any person that shall send or bring into the Queen's Dominions, or within the same execute any process against any person from the Bishop or See of *Rome*.

XXXIII. None shall be hereafter indicted as an accessary to any of the said offences; without such sufficient proof as may satisfie the Jury that are to indict him.

* XXXIV. **Stat. 13 El. 2.** If any shall obtain or put in ure any Bull of absolution or reconciliation from the Bishop of *Rome*, or absolve, or be absolved thereby, they and their accessaries before the fact shall be adjudged guilty of High Treason.

XXXV. The comforters and maintainers of such offenders shall incurre a *Præmunire*, and their concealers misprision of Treason, unless within six weeks they discover them to some of the Privy Council, or to one of the Presidents or Vice Presidents of the Councils established in the North, or Marches of *Wales*.

XXXVI. Provided, no person shall be impeached of misprision of treason for any offence made treason by this Act, other then such as are hereby declared to be in case of misprision of Treason.

XXXVII. If any shall bring into any of the Queen's Dominions any *Agnus Dei*, Crosses, Pictures, Beads, or any such vain or superstitious thing, or deliver or offer the same to any person to be used; both the person so doing, and the person so receiving the same, shall incurre a *Præmunire*: Howbeit, if the party unto whom tender thereof shall be made apprehend the party tendring the same, and carry him before the next Justice of Peace, or not being able so to do, within three days after discloseth his name, and the place of his abode or resort, unto the Ordinary, or some Justice of Peace within the same County, or having received the same doth within one day after deliver it to some such Justice of Peace, then shall he not incurre any prejudice by reason of this Act.

XXXVIII. A Justice of Peace shall disclose the offences above

ſaid to the Privy Council within fourteen days after he ſhall have notice thereof, in pain of incurring a *Præmunire*.

XXXIX. Here the trial of Peers ſhall be by their Peers.

XL. The right of others ſaved.

* XLI. **Stat. 23** *El.* 1. It ſhall be high Treaſon to have or pretend to have power, or to put in practice, to abſolve, perſwade, or withdraw any within the Queen's Dominions from their natural obedience to her Majeſty, or to withdraw them for that intent from the Religion now eſtabliſhed to the Romiſh Religion; and they alſo who ſhall be willingly ſo withdrawn or reconciled, as aforeſaid, together with the procurers and Counſellors of ſuch offenders, ſhall be adjudged guilty of the ſame offence.

☞ XLII. Alſo their aiders and maintainers, who do not diſcover them within twenty days to ſome Juſtice of Peace or higher Officer, ſhall be adjudged guilty of miſpriſion of Treaſon.

XLIII. None ſhall ſay or ſing Maſſe, on pain to forfeit 200 marks, to ſuffer one year's impriſonment, and not to be enlarged thence, untill the fine be paid: And none ſhall hear Maſſe, in pain of one year's impriſonment, and a hundred marks.

* XLIV. Every perſon not repairing to Church, according to the Statute of 1 *El.* 2. (*which ſee in Service and Sacraments*) ſhall forfeit 20 l. for every moneth they ſo make default; and if they ſo forbear by the ſpace of twelve months, after certificate thereof made by the Ordinary into the King's Bench, a Juſtice of Aſſize, Goal-delivery, or Peace of the County where they dwell, ſhall binde them with two ſufficient ſureties in 200 l. (at leaſt) to the good behaviour, from which they ſhall not be releaſed untill they ſhall repair to Church according to the ſaid Statute.

XLV. None ſhall keep a Schoolmaſter which abſents himſelf from Church, or not allowed by the Biſhop or Ordinary, in pain of 10 l. for every moneth he ſo keeps him, and ſuch Schoolmaſter ſhall be for ever after diſabled to teach youth, and ſhall ſuffer one whole year's impriſonment without bail.

☞ XLVI. The offences againſt this Act, and the Acts of the firſt, fifth, and thirteenth years of the Queen's reign, touching the acknowledging of her ſupreme Government in cauſes Eccleſiaſticall, the ſervice of God, coming to Church, or eſtabliſhment of true Religion within this Realm, ſhall be inquirable before Juſtices of *Oyer* and *Terminer*, Aſſize, Goal-delivery, and Peace in their Circuits and Seſſions within one year and a day after ſuch offence committed, except treaſon and miſpriſion of treaſon.

XLVII. Provided, that any of the offenders aforeſaid, which ſhall before judgment ſubmit and conform themſelves to the Biſhop

ſhop of the Dioceſs, or in open Aſſize or Seſſions, ſhall be diſcharged of every the offences aforeſaid, (except treaſon and miſpriſion of treaſon) and of all pains and penalties incurred for the ſame.

XLVIII. Of the forfeitures aboveſaid, two third parts the Queen ſhall have; one to her own uſe, the other for relief of the poor in the Pariſh where the offence is committed, to be delivered without further warrant then of the principal Officers of the Receipt of the Exchequer; and the other third part the proſecutor ſhall have: And here the offender that is not able to pay the forfeitures, or doth not pay them within three moneths after judgment, ſhall be committed to priſon, and there remain untill he hath ſatisfied them, or ſhall conform himſelf, and go to Church.

XLIX. They that have on Sundays the Divine Service eſtabliſhed uſually read in their houſes, and are commonly preſent themſelves thereat, and do not obſtinately refuſe to come to Church, but four times in the year (at leaſt) are preſent at Divine Service in their own Pariſh Church, or ſome other open Chappel of eaſe, ſhall not incurre the penalty aforeſaid for not coming to Church.

L. All covinous grants to defraud the intereſt which the Queen, or any other perſon, may claim by vertue of this Act, or of 13 *El.* 1, ſhall be adjudged void.

LI. If a Peer of the Realm happen to be indicted for any offence made treaſon or miſpriſion of treaſon by this Act, he ſhall be tried by his Peers.

LII. This Act ſhall not abridge the juriſdiction of Eccleſiaſtical cenſures.

* LIII. **Stat. 27 *El.* 2.** All Jeſuits and Seminary Prieſts, and other Eccleſiaſtical perſons, born within any of the Queen's Dominions, and ordained or made ſuch by the pretended juriſdiction of the See of Rome, which come into or remain in any of the ſaid Dominions, ſhall be adjudged guilty of high Treaſon; and their receivers, aiders and maintainers (knowing them to be ſuch, and at liberty) ſhall be adjudged felons, without benefit of Clergie.

LIV. All others brought up in Seminaries beyond Sea, and not as yet in Orders, as aforeſaid, which do not within ſix moneths after Proclamation made in *London* (in that behalf) return into this Realm, and within two days after ſuch return, before the Biſhop of the Dioceſs, or two Juſtices of Peace of the County where they ſhall arrive, ſubmit themſelves to the Queen and her Laws, and take the oath of Supremacie, ſhall be alſo adjudged guilty of high Treaſon.

LV. They who give or ſend relief to any ſuch Eccleſiaſtical perſon

ſon or Seminary, or to any brought up there, as aforeſaid, ſhall incurre a *Præmunire*.

LVI. Theſe offences ſhall be heard and determined in the King's Bench, or in any County where they ſhall be committed, or the offender taken.

LVII. This Act ſhall not extend to any Jeſuit or other Eccleſiaſticall perſon aforeſaid, which within three days after his arrival ſhall ſubmit himſelf to ſome Arch-biſhop, Biſhop, or Juſtice of Peace of the County where he lands, and there take the Oath of Supremacie, and under his hand acknowledge to continue in due obedience to her Majeſtie's Laws.

LVIII. Here the trial of a Peer ſhall be by his Peers.

LIX. If any perſon knowing a Jeſuit or Prieſt to remain within any of the Queen's Dominions, do not within twelve days diſcover the ſame to ſome Juſtice of Peace, he or ſhe ſhall make fine, and ſuffer impriſonment during the Queen's pleaſure; and the Juſtice of Peace which doth not within 28 days after diſcloſe it to ſome of the Privy Council, or to the Preſident or Vice-Preſident of the Councils in the North, or Marches of *Wales*, ſhall forfeit 200 marks; and ſuch of thoſe Councils unto whom ſuch information ſhall be made, ſhall deliver a writing under their hands unto the party informing, teſtifying that ſuch information was made unto them.

LX. All Oaths, Bonds and ſubmiſſions, as aforeſaid, ſhall within three moneths be certified into the Chancery by the parties before whom they are taken, in pain of 100 l.

LXI. None having ſubmitted, as aforeſaid, ſhall within ten years after come within ten miles of the Court, in pain to loſe the benefit of his ſubmiſſion.

LXII. *Stat.* 29 *El.* 6. All grants' incumbrances, or limitations of uſe made by any perſon not repairing to Church (according to the *Stat.* of 23 *El.* 1.) and which are revocable by the offender, intended for his maintenance, leaſt at his diſpoſition, or in conſideration whereof he or his family are to be kept, ſhall be utterly void againſt the Queen, or to hinder the levying of the forfeitures for not coming to Church, or ſaying, hearing, or being at Maſſe, or the making of ſeizures for the ſame purpoſe.

LXIII. Every conviction of any offence before mentioned ſhall be in the King's Bench, or at the Aſſize or Gaol-delivery, and not elſewhere, and ſhall by the Juſtices there be certified into the Exchequer before the end of the Term then next following.

LXIV. The Queen may ſeize all the goods, and two third parts of the land and leaſes of every offender not repairing to Church as aforeſaid, which after their firſt conviction do not pay in to the

Exchequer, in ſuch of the Terms of *Eaſter* and *Michaelmas* as ſhall happen next after ſuch conviction, the ſumme then due for the forfeiture of 20 l. a month, and yearly after that (in the ſame Terms) according to the rate of 20 l. a month, for ſo long time as they ſhall forbear to come to Church, according to the ſaid *Stat.* of 23 *Eliz.* 1.

LXV. The indictment againſt ſuch an offender ſhall be ſufficient, although no mention be therein made that the party is within the Realm.

LXVI. When an indictment is found againſt ſuch an offender, Proclamation ſhall be made, that he ſhall render himſelf into the Sheriff's hands before the next Aſſize or Gaol-delivery, which if he do not, that neglect ſhall be as ſufficient a conviction, as if upon the ſame indictment a trial by verdict had proceeded.

LXVII. But here upon the offenders ſubmiſſion (according to the ſaid *Stat.* of 23 *El.*) or death, no forfeiture ſhall inſue, ſave only the arrearages due at the time of ſuch ſubmiſſion or death.

LXVIII. The Lord Treaſurer, Chancellor, and chief Baron, or any two of them, ſhall aſſign a third part of the forfeitures of 20 l. a month for the relief and maintenance of the poor, houſes of Correction, and maimed Souldiers.

LXIX. This Act ſhall not extend to grants made *bona fide*, nor to continue any ſeizure after the death of the offender, in ſuch lands wherein he had only an eſtate for life, or in the right of his wife.

* LXX. **Stat.** 35 *El.* 1. If any above ſixteen years of age ſhall be convicted to have abſented themſelves above a moneth from Church, without any lawfull cauſe, impugned the Queens authority in cauſes Eccleſiaſtical, or frequented Conventicles, or perſuaded others ſo to do, under pretence of exerciſe of Religion, they ſhall be committed to priſon, and there remain until they ſhall conform themſelves, and make ſuch open ſubmiſſion as hereafter ſhall be preſcribed: And if within three moneths after ſuch conviction, they refuſe to conform and ſubmit themſelves being thereunto required by a Juſtice of Peace, they ſhall in open Aſſize or Seſſions abjure the Realm; ☞ and if ſuch abjuration happen to be before Juſtices of Peace in Seſſions, they ſhall make certificate thereof at the next Aſſize or Gaol-delivery.

LXXI. If ſuch an offender refuſe to abjure, or going away accordingly, doth return without the Queens licenſe, he ſhall be adjudged a felon, and ſhall not enjoy the benefit of Clergie; but if before he be required to abjure he makes his ſubmiſſion, the penalties aforeſaid ſhall not be inflicted upon him.

LXXII.

LXXII. The form of the ſubmiſſion is as followeth.

I A. B. do humbly confeſs and acknowledge, that I have grievouſly offended God, in contemning her Majeſtie's godly and lawfull government and authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Statutes and Laws of this Realm, and in uſing and frequenting diſordered and unlawfull Conventicles and Aſſemblies, under pretence of Exerciſe of Religion; and I am heartily ſorry for the ſame, and do acknowledge and teſtifie in my conſcience, that no other perſon hath or ought to have any power or authority over her Majeſty; And I do promiſe and proteſt, without any diſſimulation, that from henceforth I will from time to time obey and perform her Majeſtie's Laws and Statutes, in repairing to the Church and hearing Divine Service, and do my utmoſt endeavour to maintain and defend the ſame.

LXXIII. The Miniſter of the Pariſh where the ſubmiſſion is made ſhall preſently enter the ſame in a Book, and within ten days after certifie it to the Biſhop of the Dioceſs.

LXXIV. The offender that after ſuch ſubmiſſion falleth into a relapſe, ſhall take no benefit thereby.

LXXV. The forfeitures of this Act, and of 23 *Eliz.* 1. may be recovered by action of debt.

LXXVI. The third part of the penalties which accrue by this Act ſhall be diſpoſed as thoſe of 29 *El.* 6.

LXXVII. A *feme covert* ſhall not be compelled to abjure, but any other offender that abjures, or (being required) refuſeth ſo to do, ſhall forfeit all his goods and his land during life: Howbeit here ſhall be no corruption of bloud, loſs of Dower, or diſheriſon of heir.

LXXVIII. Stat. 35 *El.* 2. Popiſh Recuſants, above 16 years of age, ſhall within 40 days after their conviction repair to their uſual dwelling, and not remove above 5 miles from thence, in pain to forfeit all their goods, and their lands and annuities, during life: ☞ And if they have no certain abode, then are they to repair to the place where they were born, or where their father or mother dwells; and within 20 days after their arrival there, to give their names in writing to the Miniſter, Conſtables and Headboroughs, which Miniſter is to enter them in a Book to be kept for that purpoſe, and he, together with the ſaid Conſtables and Headboroughs, is to certifie the ſame to the next Quarter-Seſſion, where the Juſtices of Peace ſhall cauſe them to be inrolled.

LXXIX. A Copiholder ſhall in this caſe alſo forfeit his eſtate, during life, (if his eſtate continue ſo long) to the Lord of the

Mannor, if he be no Recuſant convict, nor ſeized or poſſeſſed in truſt to the uſe of a Recuſant; for then the Queen ſhall have the forfeiture.

LXXX. A Popiſh Recuſant (being no *feme covert*, not having lands worth 20 marks *per annum*, or goods worth 40 l.) which within the time above limited doth not repair to the place of his abode, or doth depart above five miles thence, or within three moneths after his arrival there doth not make the ſubmiſſion hereafter following, (being required ſo to do by the Biſhop, a Juſtice of Peace, or the Miniſter there) ſhall before two Juſtices of Peace, or the Coroner, abjure the Kingdom; which abjuration ſhall be by the ſaid Juſtices or Coroner certified in at the next Aſſize or Gaol-delivery.

LXXXI. If ſuch Popiſh Recuſant depart not the Realm within the time limited by the ſaid Juſtices, or Coroner, or return without the Queen's licenſe, he ſhall be adjudged a felon without Clergie.

LXXXII. A Jeſuit or Prieſt refuſing to anſwer ſhall be committed to priſon, and there remain till he will anſwer the queſtion whereupon he was before examined.

LXXXIII. This Act ſhall not reſtrain a Recuſant (urged by proceſs or ſummons without fraud) to travel without the aboveſaid limits, ſo he return again in a convenient time, neither him that is compelled to render his body to the Sheriff.

LXXXIV. If ſuch an offender before conviction, upon a Sunday or ſome Feſtival day, repair to Church, and there hear Divine Service, and before the Goſpel make the Confeſſion following, he ſhall be diſcharged of the penalties inflicted by this Act.

The Confeſſion is this.

LXXXV. *I A. B. do humbly confeſs and acknowledge, that I have grievouſly offended God, in contemning her Majeſtie's godly and lawful government and authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm, and I am heartily ſorry for the ſame; and do acknowledge and teſtifie in my conſcience; that the Biſhop and See of* Rome *hath not, nor ought to have, any power or authority over her Majeſty, within any of her Majeſtie's Realms or Dominions: And I do promiſe, and proteſt without diſſimulation, that from henceforth I will from time to time obey and perform her Majeſtie's Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermoſt endeavour to maintain and defend the ſame.*

LXXXVI. The Miniſter of the Pariſh where ſuch ſubmiſſion is made

made ſhall preſently enter the ſame in a Book, and within ten days after certifie it to the Biſhop of the Dioceſs.

LXXXVII. The offender that after ſuch ſubmiſſion falleth into a relapſe ſhall take no benefit thereby.

LXXXVIII. Every married woman ſhall be bound by this Act, ſave only by the clauſe of abjuration.

LXXXIX. Stat. 1 *Ja.* 1. A Recognition, that upon Queen *Elizabeths* death, the Crown of *England*, and all the Kingdomes, Dominions and Rights belonging to the ſame, did by lawful birth-right and ſucceſſion deſcend to King *James*.

XC. Stat. 1 *Ja.* 1. All the aforeſaid Statutes made in the time of Queen *Elizabeth* ſhall be duely put in execution againſt all ſuch as do not conform themſelves as aforeſaid.

XCI. Where the Anceſtor dies a Recuſant, the heir being none, or conforming himſelf, and taking the Oath of Supremacy before the Arch-biſhop or Biſhop of the Dioceſs, the land ſhall be freed from all penalties.

XCII. If an heir (within age) after he ſhall have accompliſhed the age of 16 years doth ſtill continue a Recuſant, his lands ſhall not be freed until he do conform and take the Oath of Supremacy, as aforeſaid.

XCIII. A third part of every Recuſants lands ſhall remain clear unto him from ſeizure or extent, and the other two parts ſhall remain in the King's hands, (both before and after the Recuſants death) until the King ſhall be fully ſatisfied all the arrearages for the 20 l. a month, according to 23 *El.* 1.

*XCIV. None ſhall ſend any child or other perſon under their government beyond the Seas to be inſtructed in the Popiſh Religion, in pain of 100 l. and they which are ſo ſent ſhall be incapable (as to themſelves only) of any grant or inheritance due unto them or to others for their uſe.

*XCV. If a woman or child under the age of 21 years be ſuffered to paſs the Seas without the licenſe of the King, or of ſix of the Privy Council under their hands, (except Sailers, Ship-boys, or Merchants Factors or Apprentices) the Officers of the Ports ſhall forfeit their Offices and all their goods, the owner of the Ship his Ship and Tackle, and every Maſter or Mariner of or in the Ship, all their goods, and alſo ſuffer a years impriſonment without bail.

*XCVI. None out of the Univerſities ſhall keep School, (except a Free-School, or in ſome perſons houſe that is no Recuſant, or by licenſe of the Biſhop or Ordinary) in pain to forfeit 40 s. a day.

XCVII.

XCVII. The forfeitures of this Act shall be divided betwixt the King and the profecutor.

*XCVIII. *Stat.* 3 *Jac.* 4. A Recusant that conforms shall within one year after, and so once every year (at least,) receive the blessed Sacrament, in pain to forfeit for the first year 20 l. for the second 40 l. and for every default after 60 l. And if after he hath received it, he make default therein by the space of a whole year, he shall forfeit 60 l.

XCIX. These forfeitures may be recovered before Justices of Peace in Sessions, or in any other Court of Record, and are to be divided betwixt the King and the profecutor.

C. The Church-wardens and Constables of every Parish, or one of them, or (if there be none such, then) the High Constable of the Hundred there, shall present once every year at the general Sessions of Peace the monthly absence from Church of every Popish Recusant, and their children being above the age of nine years, and their servants together with the age of their children, as near as they can know them, in pain to forfeit respectively for every such default 20 s. Which presentment the Clerk of the Peace or Town-Clerk shall record without fee, in pain of 40 s.

CI. If upon such presentment (being the first) the Recusant be convicted, the Officer that presents him shall have 40 s. to be levied by warrant upon the Recusant's goods and estate, as the more part of the Justices of Peace shall think fit.

CII. Justices of Assize, Gaol-delivery and Peace have power to hear and determine of all Recusants and offences, as well for not receiving the Sacrament, according to this Act, as also for not coming to Church, according to former Laws: and likewise to make Proclamation, that they shall render themselves to the Sheriff or Bailiff of the Liberty where they are, before the next Assize, Gaol-delivery or Sessions, respectively, which if they do not, that default being recorded, shall be taken for as sufficient a conviction of them as a trial by verdict.

CIII. Every offender not repairing to Church, as aforesaid, after their first conviction shall pay into the Checquer, in such of the Terms of *Easter* and *Michaelmas* as shall happen next after such conviction, the summ then due for the forfeiture of 20 l. a month, and yearly after that (in the same Terms) according to the rate of 20 l. a month, except where the King shall be pleased to take two-third parts of their lands and leases in lieu thereof, or that they conform themselves and come to Church.

CIV. Every conviction shall before the end of the Term next following be certified into the Exchequer, in such convenient certainty

tainty, that the Court may thereupon award proceſs for the ſeizure of all the offender's goods, and two parts of his lands and leaſes, in caſe the 20 l. a month be not paid, as aforeſaid.

CV. The King may refuſe 20 l. a moneth, and take two third parts of his lands and leaſes; but here he ſhall not include the Recuſant's Manſion-houſe, nor demiſe his two parts to a Recuſant, or to any other for a Recuſant's uſe: And the Kings Leſſee for his two parts ſhall give ſuch ſecurity againſt committing of waſte, as by the Court of Exchequer ſhall be thought ſufficient.

CVI. It ſhall be lawful for the Biſhop of the Dioceſs, or two Juſtices of the Peace (1 *Qu.*) out of Seſſ. to tender the Oath hereafter following to any perſon eighteen years old or above, (except noble men and noble women) which ſtand convicted or indicted of Recuſancy, hath not received the Sacrament twice in the year next before, or paſſing through the Country, and examined upon oath, confeſſeth or (at leaſt) denieth not that he or ſhe is a Recuſant, or that he or ſhe hath not received the Sacrament twice in the year next before; which Biſhop or Juſtices ſhall certifie the name and dwelling of the perſon ſo taking the ſame oath at the next Seſſ. where the Clerk of the Peace or Town-Clerk ſhall record them.

CVII. If the parties refuſe to anſwer upon oath, or to take the oath aforeſaid tendred unto them, the Biſhop or Juſtice aforeſaid ſhall bind them over to the next Aſſ. or Seſſ. where if they again refuſe it, they ſhall incur a *Præmunire*, except women covert, who in that caſe ſhall only ſuffer impriſonment till they take it.

The Tenor of the Oath is as followeth.

CVIII. *I A. B. do truly and ſincerely acknowledge, profeſs, teſtifie and declare in my conſcience, before God and the world, that our Soveraign Lord King* James *is lawful and rightful King of this Realm, and of all other his Majeſties Dominions and Countries; and that the Pope, neither of himſelf, nor by any authority of the Church or See of* Rome, *or by any other means, with any other, hath any power or authority to depoſe the King, or to diſpoſe of any of his Majeſties Kingdoms or Dominions, or to authorize any forein Prince to invade or annoy him or his Countries, or to diſcharge any of his Subjects of their allegiance or obedience to his Majeſty, or to give licence or leave to any of them to bear arms, raiſe tumults, or to offer any violence or hurt to his Majeſties Royal perſon, ſtate, or government, or to any of his Majeſties Subjects within his Majeſties Dominions.*

Alſo I do ſwear from my heart, that notwithſtanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made or granted, by the Pope or his Succeſſors, or by any authority

rity derived or pretended to be derived from him or his See, against the said King, his heirs or ſucceſſors, or any abſolution of the ſaid Subjects from their obedience, I will bear faith and true allegiance to his Majeſty, and him and them will defend to the uttermoſt of my power, againſt all conſpiracies and attempts whatſoever, which ſhall be made againſt his or their perſons, their Crown and dignity, by reaſon or colour of any ſuch Sentence or Declaration, or otherwiſe; and will do my beſt endeavour to diſcloſe and make known unto his Majeſty, his heirs and ſucceſſors, all treaſons and traiterous conſpiracies which I ſhall know or hear of, to be againſt him or any of them.

And I do further ſwear, that I do from my heart abhor, deteſt and abjure, as impious and hereticall, this damnable Doctrine and Poſition, That Princes which be excommunicated or deprived by the Pope may be depoſed or murthered by their Subjects, or any other whatſoever.

And I do believe, and in my conſcience am reſolved, That neither the Pope, nor any perſon whatſoever, hath power to abſolve me of this Oath or any part thereof, which I acknowledge by good and full authority to be lawfully miniſtred unto me, and do renounce all pardons and diſpenſations to the contrary.

And all theſe things I do plainly and ſincerely acknowledge and ſwear, according to the expreſs words by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation, or mental evaſion, or ſecret reſervation whatſoever. And I do make this recognition and acknowledgment heartily, willingly and truly, upon the true faith of a Chriſtian: So God me help.

CIX. Unto this Oath, the party taking it ſhall ſubſcribe his name or mark.

CX. No Indictment againſt a Recuſant ſhall be reverſed for lack of form, other then by direct traverſe to the point of not coming to Church, or not receiving the Sacrament, as aforeſaid.

CXI. The party conforming himſelf ſhall from thenceforth be admitted to diſcharge or reverſe an Indictment.

CXII. None ſhall go out of this Realm to ſerve any forein Prince or State without firſt taking the Oath aforeſaid, in pain to be adjudged a felon. And if he have born office amongſt Souldiers before his departure out of the Realm, he ſhall enter into Bond unto the Kings uſe, with the Condition following, upon like pain of being adjudged a felon.

The

The Condition is this.

CXIII. *That if the within bounden, &c. ſhall not any time then after be reconciled to the Pope or See of* Rome, *nor ſhall enter into nor conſent unto any practice, plot or conſpiracy whatſoever againſt the Kings Majeſty, his heirs and ſucceſſors, or any his or their eſtate or eſtates, Realms or Dominions, but ſhall within convenient time after knowledge thereof had reveal and diſcloſe to the Kings Majeſty, his heirs and ſucceſſors, or ſome of the Lords of his or their honorable priy Council, all ſuch practices, plots and conſpiracies; That then the ſaid Obligation to be void.*

CXIV. None but the Cuſtomer and Controller of a Port, or their Deputies, ſhall have power to take ſuch bond, or to miniſter the Oath in ſuch caſe; for which bond they ſhall only take 6 d. and nothing for the Oath; and ſhall once every year certifie into the Exchequer every ſuch bond, in pain of 5 l. and every ſuch oath, in pain of 20 s.

CXV. To abſolve or withdraw any of the Kings Subjects from their natural obedience to his Majeſty, to reconcile them to the Pope or See of *Rome*, or to move them to promiſe obedience to any pretended authority of the See of *Rome*, or to any other Prince or State, or to be abſolved, withdrawn, reconciled, or to make promiſe, as aforeſaid, ſhall be adjudged High Treaſon.

CXVI. This laſt clauſe ſhall not extend to any reconciled, as aforeſaid (for and touching the point of ſo being reconciled only) that ſhall return into this Realm, and within ſix dayes after, before the Biſhop of the Dioceſs, or two Juſtices of Peace (joyntly or ſeverally) of the County where he ſhall arrive, ſubmit himſelf to the King and his Laws, and take the Oath of Supremacy, and alſo the Oath aboveſaid; which ſaid Oaths the ſaid Biſhops and Juſtices reſpectively ſhall by this Act have power to miniſter to ſuch perſons, and ſhall certifie them in at the next General Seſſions, in pain of 40 l.

CXVII. Here the trial of Treaſon ſhall be before Juſtices of Aſſize and Gaol-delivery of that County for the time being, and may alſo be before the Juſtices of the Kings bench: but Peers in this caſe ſhall be tried by their Peers.

CXVIII. If any perſon repaireth not every Sunday to ſome Church or Chappel, proof thereof being made to a Juſtice of Peace by the parties own confeſſion, or the evidence of one witneſs, the ſame Juſtice hath power to call the party before him; and if the party give not the Juſtice a good reaſon of his abſence, the Juſtice may give warrant to the Church-wardens of the Pariſh under his hand

hand and ſeal, to levy 12 d. for every ſuch default, by diſtreſs and ſale of goods; and in default of diſtreſs, the Juſtice may commit the offender to priſon, until he pay the forfeiture aforeſaid, which ſhall be imployed for the uſe of the poor: but this offence muſt be proſecuted within one month after it is committed; and none puniſhed by this Law, ſhall alſo be puniſhed by the forfeiture of 12 d. upon the *Stat.* of 1 *Eliz.* 2. *which ſee in* Sacrament.

CXIX. None ſhall keep or retain any perſon in their houſe (ſervant or other) which ſhall forbear to come to Church by the ſpace of a month together, in pain to forfeit 10 l. for every month they ſo keep them: Howbeit children may relieve their Father or mother, and Guardians their Wards or Pupils.

CXX. The Sheriff, upon a lawful Writ, may juſtifie to break an houſe for the taking of a Recuſant excommunicate.

CXXI. The Juſtices of the Kings Bench, and Juſtices of Aſſize and Gaol-delivery, may hear and determine all the offences committed againſt this Act; and ſo may Juſtices of Peace, all but Treaſon.

CXXII. The offences made felony by this Act ſhall not cauſe loſs of Dower, corruption of blood, or diſheriſon of heirs.

CXXIII. Here, if an Action ſhall be brought againſt an Officer for the execution of this Act, he may plead the general iſſue, and yet give ſpecial matter in evidence.

CXXIV. This Act ſhall not abridge the juriſdiction of Eccleſiaſtical cenſures.

CXXV. None ſhall be puniſhed for his wifes offence, neither ſhall any married woman be chargeable with any penalty or forfeiture by force of this Act.

CXXVI. Six of the Privy Council (whereof the Lord Chancellor, Lord Treaſurer, or principal Secretary ſhall be one) have power to miniſter the Oaths aboveſaid to noble men (being 16 years old,) and to noble women alſo of the like age and unmarried, who ſhall take the ſame Oaths accordingly, in pain to incurr a *Præmunire*. *Vide infra.*

CXXVII. The Warden of the Cinque-ports, or ſome authorized by him, ſhall take the bond, and miniſter the Oath aforeſaid, where any perſon paſſeth beyond Sea out of them or any of their members.

CXXVIII. *Stat.* 3 *Jac.* 5. The perſon that within three days notice ſhall diſcover to a Juſtice of Peace any that entertains a Popiſh Prieſt, or any which have heard or ſaid Maſs, ſhall have a third part of the forfeiture due for the ſame offences, if the whole exceed

ceed not 150 l. and then only 50 l. thereof to be delivered unto him by the Sheriff or other Officer which ſhall have power to levy the ſame.

CXXIX. No convicted Recuſant ſhall come into the Court without command from the King, or warrant from the Privy Council under their hands, in pain of 100 l. to be divided betwixt the King and the diſcoverer.

CXXX. A Popiſh Recuſant convicted or indicted, or any perſon not coming to Church by the ſpace of three months together, which remains in *London*, or within 10 miles diſtance thereof ſhall within ten dayes after ſuch conviction or indictment depart from thence, and alſo ſhall deliver their names (in *London*) to the Lord Mayor there, and (in the County) to the next Juſtice of Peace, in pain of 100 l. to be divided betwixt the King and the proſecutor: Howbeit this clauſe ſhall not extend to Trades-men, or ſuch as have no other habitation than in *London*, or within 10 miles diſtance, as aforeſaid.

CXXXI. It ſhall be lawful for a Recuſant to go about his neceſſary occaſions, as far as a licence (obtained from the King, or from three of the Privy Council, under their hands, or four of the next Juſtices of Peace, under their hands and ſeals, with the aſſent in writing of the Biſhop, Lieutenant or Deputy-Lieutenant of the ſame County) ſhall give him leave, notwithſtanding the *Stat.* of 35 *El.* 2. which licence ſhall not be granted by the ſaid Juſtices, till the party hath made oath of the true reaſon of his journey, and that he will make no cauſleſs ſtays.

CXXXII. No convicted Recuſant ſhall practiſe the Common Law, Civil Law, Phyſick, or Art of Apothecary, or be an officer of or in any Court, or bear any office amongſt Souldiers, or in a Ship, Caſtle or Fortreſs, in pain of 100 l. to be divided betwixt the King and the proſecutor.

CXXXIII. No Popiſh Recuſant convict, or whoſe wife is a Popiſh Recuſant convict, ſhall exerciſe any publick office in the Commonwealth by himſelf or his Deputy, unleſs he bring up his children in the true Religion, and together with his children and ſervants repair to the Church, and receive the Sacraments at ſuch times as by the Law are limited.

CXXXIV. A married woman being a Popiſh Recuſant convict (her husband being none) that doth not conform her ſelf, as aforeſaid, by the ſpace of one whole year before her husbands death, ſhall forfeit two third parts of her Dower or Joynture, and ſhall be incapable of being Executrix or Adminiſtratrix to her husband, and of enjoying any part of her husbands goods.

CXXXV.

CXXXV. A Popiſh Recuſant, after conviction, ſhall be reputed to all intents as a perſon excommunicate, until he ſhall conform, go to Church, receive the Sacraments, and take the Oath of Obedience ordained by 3. *Jac.* 4. Howbeit, he may ſue for his intereſt in lands not ſeized into the Kings hands.

CXXXVI. A Popiſh Recuſant convict, which is married otherwiſe than in open Church, and by a lawful Miniſter, according to the Orders of the Church of *England*, ſhall not be tenant by the Courteſie; and a woman alſo (in this caſe) ſhall be diſabled to enjoy her Dower, Joynture, Widows eſtate, or any of her husbands goods: And where a man cannot be tenant by the Courteſie, he ſhall forfeit 100 l. to be divided betwixt the King and the proſecutor.

CXXXVII. Every Popiſh Recuſant ſhall within one moneth after the birth of his child cauſe it to be baptized by a lawfull Miniſter, in pain to forfeit 100 l. if he out-live the month; if not, then his wife is to pay the ſame forfeiture; which ſhall be divided into three parts, whereof the King ſhall have one, the proſecutor another, and the poor of the Pariſh the third.

CXXXVIII. Every Popiſh Recuſant ſhall be buried in the Church or Church-yard, and according to the Eccleſiaſtical laws of this Realm, in pain that his Executor, Adminiſtrator, or the party that cauſed him to be otherwiſe buried, ſhall forfeit 20 l. to be divided into three parts, and diſperſed as aforeſaid.

CXXXIX. A child (being no Souldier, Mariner, Merchant or Apprentice, or Factor to a Merchant) ſhall not be ſent or go beyond Sea without licenſe of the King, or ſix of the Privy Council, (whereof the principal Secretary ſhall be one) in pain to be thereby incapable to enjoy any lands or goods by deſcent or grant, untill (being eighteen years of age, or above) he take the ſaid Oath of Obedience before ſome Juſtice of Peace of the County where his parents do or did dwell. And in the mean time, the next of his kin (being no Popiſh Recuſant) ſhall enjoy the lands and goods; but ſhall be accountable to the other, in caſe he after conform himſelf, as aforeſaid. And he that ſo goes out of the Kingdom without licenſe ſhall forfeit 100 l. to be divided and imployed as aforeſaid.

CXL. A Popiſh Recuſant convict ſhall be diſabled to preſent to a Benefice; but in ſtead of him, the Chancellor and Scholars of the Univerſities of *Oxford* and *Cambridge* ſhall preſent within ſeveral Counties reſpectively. *For which ſee the Statute at large.* Howbeit, they ſhall not conferr it upon a man already beneficed.

CXLI. A Popiſh Recuſant convict ſhall not be an Executor, Ad-

Adminiſtrator, or Guardian; but the next of kin (being no Recuſant, and unto whom the land cannot lawfully deſcend) ſhall have the wardſhip and tuition of an Heir or orphan in that caſe.

CXLII. A grant of the King's ward to a Popiſh Recuſant convict ſhall be void.

CXLIII. None ſhall bring from beyond Sea, print, ſell or buy any Popiſh Primers, Ladie's Pſalters, Manuals, Roſaries, Popiſh Catechiſms, Miſſals, Breviaries, Portals, Legends of Lives of Saints, in what Language ſoever they ſhall be printed or written, nor any other ſuperſtitious Books, printed or written in the *Engliſh* tongue, in pain to forfeit 40 s. for every ſuch Book, to be divided into three parts, and imployed as aforeſaid.

CXLIV. Two Juſtices of Peace, and all Mayors, Bailiffs, and Head-officers, have power to ſearch the houſes and lodgings of Popiſh Recuſants convict, and of every perſon whoſe wife is a Popiſh Recuſant convict, for Popiſh books and reliques, and to burn and deface ſuch as they ſhall find in their cuſtody; but ſuch as are of value ſhall be defaced in open Seſſ. and afterward reſtored to the owner.

CXLV. All the Armour, Gunpowder and Munition of a Popiſh Recuſant convict, ſhall be taken from him by warrant from four Juſtices of Peace at the General Seſſ. (other then ſuch weapons as ſhall be allowed unto him by the ſame Juſtices) which ſaid Armour and Munition ſhall be kept at the coſts of ſuch Recuſant in ſuch places where the ſaid Juſtices ſhall appoint, and ſhewed at every Moſter, as his arms together with his horſe, which he ſhall buy, provide and maintain for that purpoſe, according to his ability as other Subjects doe. And here, the Recuſant that refuſeth to declare what Armour and Munition he hath, or to deliver it to ſuch perſons as ſhall have power to ſeize it; ſhall forfeit the ſame to the King, and beſides, ſhall upon warrant from any Juſtice of Peace of that County, be impriſoned by the ſpace of three moneths without bail.

CXLVI. This Act ſhall not abridge Eccleſiaſtical cenſures.

CXLVII. **Stat.** 7 *Jac.* 2. No perſon of the age of eighteen years or above, ſhall be naturalized or reſtored to bloud, unleſs he have received the Lord's Supper within a moneths before his bill be exhibited, and alſo do take (before the bill be twice read) the Oath of Supremacy and Allegiance to be miniſtred unto him (in the Houſe of Lords) by the Lord Chancellor or Keeper, and (in the Commons houſe) by the Speaker.

CXLVIII. **Stat.** 7 *Jac.* 6. Who ſhall take the Oath of Obe-

dience (or Allegiance) by whom it shall be ministred, and within what time.

CXLIX. It shall be lawful for any of the Privy Council, or any Bishop within his Dioceſs, to require a Baron or Baroneſs of eighteen years of age, or above, to take the ſaid Oath: and likewiſe for any two Juſtices of Peace, (1. *Qu.*) to require any perſon of the age aforeſaid, or above, and under the degrees aforeſaid, to take the ſame Oath.

CL. If any Baron or Baroneſs, ſtand preſented, indicted or convicted for Recuſancy, three of the Privy Council (whereof the Lord Chancellor, Treaſurer, Privy Seal, or the principal Secretary ſhall be one) ſhall miniſter unto them the ſaid Oath: But if it be any other convicted perſon under thoſe degrees, or if the Miniſter, petty Conſtables, or Church-wardens of any Pariſh, or any two of them ſhall complain to any Juſtice of Peace, of any perſon ſuſpected for Recuſancy; then any ſuch Juſtice may, (in either of the ſaid caſes miniſter the ſaid Oath, and upon refuſal ſhall commit the party to priſon, there to remain until the next Aſſ. or Seſſ. where if he or ſhe again refuſe to take it, they ſhall incur a *Præmunire*, except women *covert*, who ſhall onely be impriſoned, and there remain without bail, untill they ſhall take the ſaid Oath.

CLI. None refuſing the ſaid Oath, ſhall be capable of any Office of Judicature or of other Office (being no Office of inheritance or Miniſterial function) or to practiſe the Common Law, Phyſick, Chirurgery, the Art of Apothecary, or any liberal Science for gain.

CLII. If a married woman, being a convicted Recuſant, do not conform within three months after conviction, ſhe ſhall be committed to priſon by a privy Councellor, or the Biſhop of the Dioceſs, if ſhe be a Baroneſs; But if any other of a lower degree, then ſhall ſhe be committed by two Juſtices of Peace (1. *Qu.*) and there ſhall remain until ſhe conform, as aforeſaid; unleſs the husband for the wife's offence will pay unto the King 10 l. for every month or yield the third part of all his lands, at the choice of the ſaid husband.

CLIII. None ſhall go himſelf, or ſend any perſon whatſoever beyond ſea, to be trained up in Popery, or any maintenance or relief to the party ſo ſent, or to any School or Religious houſe there, in pain (after conviction thereof) to be adjudged unable to proſecute any ſuit in any Court of Equity, to be Committee of any Ward, Executor or Adminiſtrator, to be uncapable of any Legacy or Deed of Gift, or of bearing Office within this Realm: And beſides to forfeit all his goods and chattels, and his land alſo during life: But if

he conform within ſix weeks after his return, according to the Statutes in that caſe provided, he ſhall not incur the penalties aboveſaid.

CLIV. Theſe offences ſhall be heard and determined by the Juſtices of the King's Bench, Aſſize, Gaol-delivery, and *Oyer* and *Terminer* of ſuch Counties, where the offenders did laſt dwell, or whence they departed, or where they ſhall be taken.

CLV. For Uniformity of Common-Prayer: *See Title* Religion.

* CLVI. **Stat.** 3 *Car.* 2. The Statute of 1 *Jac.* 4. ſhall be duely put in execution: and none of the King's Subjects ſhall paſs or go, or ſhall convey or ſend, or cauſe to be conveyed or ſent, any child or other perſon, out of any of the King's Dominions, into any parts beyond the Seas, out of the King's Obedience, to the intent to be reſident or trained up in any Popiſh ſociety, School or family, or to be there inſtructed in the Popiſh Religion, in any ſort to profeſs the ſame: Neither ſhall any convey or cauſe to be conveyed, any money or other thing, towards the maintenance of any ſuch child or perſon already gone or ſent, or to go, or to be ſent, and trained and inſtructed, as aforeſaid; or (under the name of charity) towards the relief of any ſuch Society or Religious Houſe; upon pain (after conviction in any of the aforeſaid caſes) to be diſabled to ſue, or uſe any action, bill, plaint or information in courſe of Law, or to proſecute any ſuit in equity or to be Committee of any Ward, or Executor or Adminiſtrator to any perſon, or capable of any legacy, or deed of Gift, or to bear Office within the Realm, and to forfeit all his goods and chattels, and alſo his lands, rents, annuities, and Offices, during his life.

CLVII. Howbeit, no perſon ſo ſent or conveyed, as aforeſaid, who ſhall within ſix weeks after his return, conform himſelf to the preſent Religion here eſtabliſhed, and receive the Sacrament of the Lord's Supper, ſhall incurr any of the penalties aforeſaid.

CLVIII. Juſtices of the *King's Bench, Aſſize, Gaol-delivery*, and *Oyer* and *Terminer* have power to hear and determine theſe offences in ſuch Counties where ſuch offenders did laſt dwell, or whence they departed, or where they are taken.

CLIX. **Stat.** 16. 17 *Car.* 11. The branch of the Statute of 1 *Eliz.* 1. which gave power by commiſſion under the Great Seal to exerciſe Eccleſiaſtical Juriſdiction (*and whereupon the pretended authority of the High Commiſſion-Court was founded*) is repealed.

CLX. No Eccleſiaſtical Judge, Officer or Miniſter of Juſtice,

shall award, impose, or inflict any pain, penalty, fine, amerciament, imprisonment, or other corporal punishment upon any of the King's Subjects for any contempt, offence, matter, or thing whatsoever, nor give any oath to any Church-warden, Side man, or other person to present or confess any thing, or to accuse him or her self of any crime or offence, whereby they may be liable to any pain or punishment, in pain to forfeit treble damages to the party grieved, and an 100 l. to the first prosecutor, to be recovered by action of debt, *&c.* in which no wager of Law, *&c.* shall be allowed.

CLXI. The party offending against this Act shall be disabled to execute any employment in any Court of Justice; and to exercise any Jurisdiction by the force of any Letters Patents from the King.

CLXII. No new Court, which may have the like power that the High Commission pretended to have, shall be hereafter erected, but all such jurisdictions, and all acts, sentences and decrees made by colour thereof, shall be utterly void and of none effect.

Vid. Title Courts *and* Ecclesiastical Jurisdiction: *n.* 1, 11, &c.

Cui in vitâ.

I. **Westt.** 2. 3. 13 E. 2. A Writ of *Entry* (called *Cui in vitâ*) is given to the wife for the recovery of her land, lost by the default of the husband in his life time: and in his life time also she shall be admitted to defend her right, if she come in before judgment.

II. The like priviledge is given to the Reversioner, where the tenant in Dower, by the Courtesie, for life, or by gift doth lose by default, or will yield up the land.

☞ Customs, Customers and Controllers.

I. **Stat.** 14 E. 3. 21. A mark shall be the Custom of a Sack of wool and of woolfels, and leather the old custom.

II. A Sack of wooll shall contain 26 stone, and each stone 14 pounds; and for every sack of wooll exported, four nobles worth of silver plate shall be imported, and brought to the King's exchange, where the party shall receive his money for his plate.

III. Wools shall not be cocketed, but in the name of the right owner, in pain to forfeit the same.

IV. **Stat.** 14 R. 2. 10. No Customer or Controuler shall have any Ships of his own nor meddle with the freight of Ships.

V. Stat.

V. Stat. 4 H. 4. 20. Every Cuſtomer upon his account, ſhall be ſworn to render a true account to the King.

VI. Stat. 11 H. 4. 2. None that holdeth a common Hoſtery ſhall be a Cuſtomer, Finder or Searcher.

VII. Stat. 3 H. 6. 3. No Cuſtomer, Collector or Controuler ſhall conceal Cuſtoms duely entred and paid, in pain to forfeit the treble value of Merchandize ſo cuſtomed; and to make fine and ranſom to the King; of which penalties the proſecutor ſhall have a third part.

VIII. Stat. 11 H. 6. 15. Every Cuſtomer and Controuler ſhall deliver to the Merchant a warrant (under the Seal of their Office) of the Merchandize to them ſhewed, without fee, in pain to be ſubject to be ſued by the Merchant, and to forfeit for every ſuch default 10 l. to the King, and 5. to the Merchant.

IX. Stat. 20 H. 6. 4. Merchant *Denizens* that tranſport any Wool, Woolfels, or Tin to any other place then the Staple, ſhall pay ſuch cuſtom and other duties for the ſame as Merchants *Aliens* pay.

X. This Statute ſhall not prohibit ſuch as have the King's licence to tranſport thoſe commodities to other places then *Calice*, where (it ſeems) the Staple then was.

XI. Stat. 20 H. 6. 5. No Cuſtomer, Controuler, Searcher, Surveyor of Searchers, or their Clarks, Deputies, Miniſters, Factors, or ſervants, ſhall have any Ship of their own, uſe Merchandiſe, keep a Wharf, Inn or Tavern, or be a Factor, Attorney, or Hoſt to a Merchant, in pain of 40 l. to be divided betwixt the King and the Proſecutor.

XII. Stat. 1 H. 7. 2. Aliens made Denizens, ſhall pay ſuch Cuſtoms and Subſidies as they did before they were made Denizens.

XIII. Stat. 3 H. 7. 7. Every Merchant that, importing any goods into this Realm, entring the ſame with the Cuſtomer of the Port where he lands, and paying there all duties, is minded to tranſport them to ſome other Port, ſhall obtain a Certificate under the Cuſtomers Seals, expreſſing the nature, colour, length, value, content, or weight of ſuch goods, to be directed and delivered to the Cuſtomers of the Port, where they are to be conveyed, before they be diſcharged, in pain to forfeit the ſaid goods, to be divided betwixt the King and the Proſecutor. And the Cuſtomers are to make a true Certificate thereof, in pain to forfeit their Offices, and make fine at the King's pleaſure.

XIV. No Merchant Denizen or Stranger, ſhall make entry of any goods in the Cuſtomer's books, but onely in the name of the right

owner, in pain to forfeit the ſame, ſuffer impriſonment, and make fine at the King's pleaſure.

XV. None ſhall take upon him to be a Cuſtomer, Controuler, or Searcher in any City, Borough or Town, while he is a common Officer, or Deputy to a common Officer there, in pain to forfeit 40 l. for every ſix moneths he ſo executes them together, to be divided betwixt the King and the proſecutor.

XVI. Stat. 11 H. 7. 6. The Cuſtome and Subſidy of all woollen clothes to be carried beyond Sea, whereſoever they were packed, ſhall be paid to the Cuſtomers of the Port, where they ſhall be ſhipped, or to their Deputies.

XVII. Stat. 11 H. 7. 14. Merchants Strangers though made Denizens, ſhall pay ſuch Cuſtoms and Subſidies as they ſhould have paid, if they had not been made Denizens.

XVIII. Stat. 1 H. 8. 5. The Branch of the Statute of 3 H. 7. 7. concerning the entry of goods in another's name, is repealed, becauſe it ſeemed to extend as well to *Engliſhmen* as ſtrangers.

XIX. Any *Engliſhman*, and other Subject of the King's, may cuſtom in his own name the goods of another *Engliſhman*, or Subject.

XX. Every Merchant-ſtranger may cuſtom in his own name the goods of another Merchant-ſtranger; ſo that ſuch Merchant-ſtranger, and alſo the owner of the goods be charged with like cuſtom.

XXI. He that ſo cuſtoms goods, that the King thereby loſeth his cuſtom, or other duties, ſhall forfeit the goods to the King, and as much to the party grieved, as the goods are worth.

XXII. None free of the Prizage or Butlerage of Wines ſhall cuſtome any Wines of another, not free thereof, in pain to forfeit the double value of the Wine ſo cuſtomed.

XXIII. An Action of Debt is given to the party grieved againſt him that cuſtoms goods in his own name, when they are another man's, to recover the value of the goods ſo cuſtomed.

XXIV. Stat. 4 H. 8. 6. No Collector or Controuler of the Subſidy of Cloth of Gold, Silver, Bandekin, Velvet, Damask, Sattin, Sarſenet, Tartron, Chamlet, or other Cloth of Silk, ſhall take any thing for ſealing the ſame, in pain to forfeit 20 l. for every time.

XXV. The Collector or Controuler ſhall not delay the Merchant in ſealing ſuch Merchandize, in pain of 40 s. to be divided betwixt the King and the Merchant grieved.

XXVI. Stat. 2. 3 E. 6. 22. If any offend, contrary to the

Statute

Statute of 1 H. 8. 5. they shall forfeit all their goods and chattels, to be divided betwixt the King and the prosecutor, if the Action be prosecuted within three years.

XXVII. Stat. 12 Car. 2. cap. 4. A Subsidy of Tunnage and poundage granted to the King for life upon the cause and trust of guarding and defending the Seas, and intercourse of trade; viz. Tunnage.

1. Every Tun of *French* wine brought into the Port of *London*, by Merchants, Subjects natural, 4 l. 10.
By Aliens and strangers, 6 l.
Into other Ports by Subjects, 3 l.
By Aliens, 4 l. 10 s.

2. Muskadels, Malmseys, Cates, Tents, Alicants, Bastards, Sacks, Canaries, Malligoes, Maderoes and all other sweet wines, by Subjects natives brought into the Port of *London*, the Tun, 2 l. 5 s.
By Strangers and Aliens, 3 l.
Into other Ports, by native Subjects, 1. l. 10 s.
By Aliens and strangers, 3 l. 5 s.

XXVIII. Poundage, *viz.* 12 d. in the pound of all Merchandise and goods, according to the Book of Rates, except Woollen clothes made in *England*, called old Draperies, Wines paying Tunnage, Fish *English*, taken and brought in *English* bottoms, and all fresh fish, and Bestial, and all goods mentioned in the Book of Rates, to be Custom free, 12 d. *per* l.

Of all Woollen broad clothes exported, after the rate of each 64. in weight, and so proportionably, by subjects, 3 s. 4. d.
By Strangers Aliens, 6 s. 8. d.

For not paying of which the goods and merchandise shall be forfeit, one moiety of the rate hereof to the King, the other moiety to the Informer that shall seise or sue for the same.

XXIX. Such as have their goods taken by Pyrates or perished at Sea, being born Denizens, may upon proof thereof before the Lord Treasurer or Baron of the Exchequer, ship so many more goods of the same value without custom: and herrings and fish may be transported in *English* bottoms custom free.

XXX. No rates can be set upon merchandise of Subjects or Aliens, but by common consent in Parliament. The Rates intended by this Act agreed by the Common's house of Parliament, and signed by the Speaker.

XXXI. For goods above 5 l. value, the Custom Officers shall take such Fees and no other, as were taken in the 4th year of King *James*: untill they shall be otherwise setled by Parliament.

XXXII. Iron, armes, Bandileers, Bridle-Bitts, Halbert-heads and Shaps, Holsters, Muskets, Carbines, Fowling-pieces, Pistols, Pike-heads, Sword or Rapier blades, Saddles, Snaffels, Stirrops, Calve-skins dressed or undressed, Geldings, Oxen, Sheep-skins dressed without the wool, and all sorts of manufactures made of leather may be transported paying the Rates by this Act appointed and no other.

XXXIII. Goods when they are at the prices following may be transported, viz.

Gunpowder when the Barrel exceeds not	5 l.
Wheat when at the time of the lading the quarter exceeds not	2 l
Rie, Beans and Pease,	1 l. 4 s.
Barly and Malt,	1 l.
Oats,	16 s.
Bacon the pound,	6 d.
Butter the barrell,	4 l. 10 s.
Cheese the hundred,	1 l. 10 s.
Candles the dozen pound,	5 s.

Paying the Rates appointed and no more.

XXXIV. Provided the King by Proclamation may at any time prohibit the transporting Gunpowder, Armes and Ammunition.

XXXV. Above the Rates aforesaid, there shall be paid to the King of every Tun of Wine of the growth of *France*, *Germany*, *Portugal* or *Madera* brought into *London* or elsewhere 3 l. within four moneths after importing: and all other Wines 4 l. within nine moneths after importing: and the importers shall give security for the same: and if the said wines be exported within 12 moneths, the said additional duty shall be repayed, and security discharged, as to so much exported: all Impost of Excise discharged. And Prisage to pay no Custom.

See Title Ships LXVIII. *Who shall pay double Aliens Customes.*

XXXVI. **Stat. 12 Car. 2. ca. 19.** For preventing frauds and concealments of Customs: If any person shall land and convey away any goods, for which Tunnage and Poundage ought to be paid without entry of agreement for the Custom, upon oath hereof made before the Lord Treasurer, Baron of the Exchequer, or Magistrate of the Port where the offence is committed, or place next adjoyning thereunto, they may grant warrant to search for the said goods, and in case of resistance in the day time to break open any house, and seize and secure the said goods, so as the same be within one month after the supposed offence committed.

XXXVII.

XXXVII. In caſe of falſe information the party injured may recover his full damages and coſts, and this Act to continue unto the end of the firſt Seſſion of the next Parliament and no longer.

XXXVIII. **Stat.** 14 *Car.* 2 *cap.* 11. An Act for the preventing and puniſhing frauds and violences uſed to avoid the King's Cuſtoms, and for regulating abuſes therein. *See the Statute at large.*

☞ Cuſtoms and Uſages.

I. **Stat.** 31 *H.* 8. 3. The Mannors, *&c.* of *Thomas* Lord *Cromwel*, and others within the County of *Kent*, being Gavelkind land, ſhall hereafter deſcend as lands at the Common Law.

☞ *Cuſtos Rotulorum.*

I. **Stat.** 37 *H.* 8. 1. None ſhall be *Cuſtos Rotulorum*, but ſuch as ſhall have a Bill ſigned by the Kings hand for the ſame, which ſhall be warrant for the Lord Chancellor to put and continue him in the Commiſſion to be *Cuſtos Rotulorum*, until the King ſhall appoint another.

II. The *Cuſtos Rotulorum* may execute that Office by a Depury, learned in the Laws, and able to ſupply that place.

III. The *Cuſtos Rotulorum* ſhall have power to appoint the Clerk of the peace, who may alſo execute it by a ſufficient Deputy, approved by the *Cuſtos Rotulorum*.

IV. This Act ſhall not inhibit the Arch-biſhop of *York*, the Biſhop of *Durham*, the Biſhop of *Ely*, and all others, having lawfull power (by the grant of the King, or his Progenitors) to make *Cuſtos Rotulorum* within their ſeveral juriſdictions, to uſe the ſame liberty which they had before.

V. **Stat.** 3. 4 *E.* 6. 1. The Lord. Chancellor, or keeper, ſhall appoint the *Cuſtos Rotulorum* in every County of *England*, *Wales*, and other the Kings Dominions, who may execute his Office by himſelf, or by his Deputy: Howbeit, the power of others is ſaved, who have power to name the *Cuſtos Rotulorum*.

Days

Days in Bank.

I. Stat. *De Anno Biſſextili*, 21 H. 3. The day increaſing in the Leap-year, and the day next going before, ſhall be accounted for one day; and this was done, to avoid the doubt of the year and day, that were wont to be aſſigned to ſick perſons, being impleaded, to the end they might know (when the Leap-year happened) how to reckon their year and day.

II. Stat. 51 H. 3.

If a Writ come in

Utas Sancti Mich.
Quinzime Mich.
Tres Mich.
Craſtino Anim.
Craſtino Mart.
Utas Martini.
Quinzime Mart.
Utas Hillarii.
Quindena Hillarii.
Craſt. Purif.
Utas Purific.
Quindena Paſchæ.
Tres Paſchæ.
Menſe Paſchæ.
Quinque Paſchæ, or *Craſt. Aſcenſ.*
Utas Trin.
Quindena Trin. or *Craſt. S. Joh. B.*
Utas S. John Bapt.
Quindena S. J. B.

Day ſhall be given thereupon unto the

Utas Sancti Hill.
Quinzime Hill.
Craſtino Purif.
Quinzime Paſchæ.
Tres Paſchæ.
Menſe Paſchæ.
Quinque Paſchæ.
Utas Trin. and ſometimes *in Craſt. S. J. B.*
Craſt. & utas S. J. B.
Quindena S. Jo. Bapt.
utas Mich.
Quindena Mich.
Tres Mich.
Menſe Michaelis.
Craſt. Anim.
Craſt. Mart.
Utas Mart.
Quindena Mart.

And ſo every Term ſhall anſwer to other.

III. Stat. 51 H. 31 Concerning general Days in a Writ of Dower.

If the Writ come in

Octabis Mich.
Quindena Mich.
Tres Michael.
Menſe Mich.
Craſtino Anim.
Craſtino Mart.
Octabis Mart.
Quindena Mart.
Octabis Hil.
Quindena Hill.
Craſtino Purif.
Octabis Purif.
Quindena Paſchæ.
Tres Paſchæ.
Menſe Paſchæ.
Quinque Paſchæ.
Craſt. Aſcenſ.
Octabis Trin.
Quindena Trin.
Craſt Johannis.
Octabis Johannis.
Quindena Johannis.

Day ſhall be given until

Craſtino Animarum.
Craſt. Martini.
Octabis Martini.
Quindena Mart.
Octabis Hillarii.
Quindena Hillarii.
Craſtino Purif.
Octabis Purif.
Quindena Paſchæ.
Tres Paſchæ.
Menſe Paſchæ.
Craſtino Aſcenſ.
Octabis Trin.
Quindena Trin.
Craſt. Joh. Bapt.
Octabis Joh. Bapt.
Quindena Johannis.
Octabis Mich.
Quindena Mich.
Tres Michael.
Menſe Mich.
Craſtino Anim.

IV. **Warlbrug.** 12. 52 H. 3. In Dower (*unde nihil habet*) four dayes ſhall be given in the year, and more if conveniently may be; ſo that they ſhall have five or ſix days (at leaſt) in the year.

V. In Aſſizes of *Darrein preſentment*, and a Plea of *Quare impedit*, dayes ſhall be given from fifteen to fifteen, or from three weeks to three weeks, according to the diſtance of the place.

VI. In a *Quare impedit*, if the diſturber come not in upon ſummons, nor caſt an Eſſoine, he ſhall be attached at another day, when if he come not, nor caſt an Eſſoine, the great diſtreſs ſhall iſſue againſt him, when if he come not, a Writ ſhall be ſent to the Biſhop, that the Diſturber claim not for that time to the prejudice of the Plaintiff ſaving unto him his right at another time.

VII. The ſame Law ſhall be obſerved for Attachment, as for Diſtreſſes, ſo that the ſecond Attachment ſhall be made by better pledges, and after the laſt Diſtreſs.

VIII. **Stat.** 32 H. 8. 21. There ſhall be only four days of Return in *Trinity-Term*, viz. *Craſt. Trin. Octab. Trin. Quindena Trin.* and *Tres Trin.*

IX.

IX. This Term ſhall hereafter begin upon the Munday after Trinity Sunday for keeping of Eſſoines, Profers, Returns, and other ceremonies formerly uſed; and the full Term ſhall begin the Friday after *Corpus Chriſti* day, being alwayes the Friday next enſuing.

X. If a Writ in any reall Action come in and be returnable.

Octabis Hill.	Day ſhall be given in	*Craſtina Trin.*
Quindena Hill.		*Octab. Trin.*
Craſtino Purif.		*Quindena Trin.*
Octabis Purif.		*Tres Trin.*
Craſt. Trin.		*Craſt. Anim.*
Octab. Trin.		*Craſt. Martini.*
Quindena Trin.		*Octabis Martini.*
Tres Trin.		*Quindena Mart.*

XI. If any Writ of Dower come in and be returnable.

Quindena Paſchæ.	Day ſhall be given in	*Craſtina Trin.*
Tres Paſchæ.		*Octab. Trin.*
Meuſe Paſchæ.		*Quind. Trin.*
Quinque Paſc. or *Craſt. Aſcenſ.*		*Tres Trin.*
Craſtino Trin.		*Octab. Mich.*
Octabis Trin.		*Quind. Mich.*
Quindena Trin.		*Tres Mich.*
Tres Trin.		*Meuſe Mich.*

XII. All common Writs and Proceſſes (as well perſonal as mixt) ſhall keep the ſaid returns of *Trinity-Term*, ordained by this Act.

XIII. This Act ſhall not prohibit the Juſtices of the Kings Courts of Record, to aſſign ſpecial days of Return, in ſuch caſes and proceſſes, as have uſed to have ſpecial days aſſigned.

XIV. The ſaid Statute of *Marlbridge*, 52 and alſo 5 *E.* 3. (*which ſee in attaint*) being not contrariant to this Act, ſhall remain in force, notwithſtanding this Act.

XV. 31 *Stat.* 16. 17 *Car.* 6. There ſhall be only ſix days of return in *Michaelmas Term*, viz. *Tres Michael. Meuſe Michael. Craſt. Anim. Craſtino Mart. Octabis Mart.* and *Quindena Mart.*

XVI. *Michaelmas* Term ſhall hereafter begin at *Tres Mich.* for the keeping of Eſſoines, Profers, Returns, and other ceremonies heretofore uſed, and the full Term ſhall be four dayes after: Howbeit if the beginning of the Term, or the ſaid fourth day happen to be Sunday, then the next day is to be kept for it.

XVII.

Tres Mich.	Then day ſhall be given	*Craſtino Purif.*
Menſe Mich.		*Octabis Purif.*
Craſtino Anim.		*Quind. Paſchæ.*
Craſtino Mart.		*Tres Paſchæ.*
Octab. Mart.		*Menſe Paſchæ.*
Quindena Mart.		*Quind. Paſchæ.*
Octab. Hill.		*Craſt. Aſcenſ.*
Quindena Hill.		*Craſt. Trin.*
Craſt. Purif.		*Octab. Trin.*
Octabis Purif.		*Quindena Trin.*
Quindena Paſchæ.		*Tres Trin.*
Tres Paſchæ.		*Tres Mich.*
Menſe Paſchæ.		*Menſe Michaelis.*
Quinque Paſchæ.		*Craſtino Anim.*
Craſt. Aſcenſ.		*Craſt. Mart.*
Craſt. Trin.		*Octab. Mart.*
Octab. Trin.		*Quindena Mart.*
Quind. Trin.		*Octabis Hillarii.*
Tres Trin.		*Quindena Hillarii.*

XVII. If any Writ in any real action (other then writs of Entry for common Recoveries, writs of right of Advowſon, and Writs of Dower, *unde nihil habet*, hereafter mentioned) come in, and be returnable.

XVIII. Provided that in Writs of Dower (*unde nihil habet*) after iſſue joyned 15 days betwixt the *teſte* and the Term ſhall ſuffice, as is uſed in perſonal actions.

XIX. *Craſtino Aſcenſ.* ſhall be a good return, notwithſtanding there be not 15 days between the *quarto die* of that return, and the Eſſoin-day of the return of *Craſt. Trin.*. Alſo the return from *Tres Mich.* to *Craſt. Anim.* ſhall be a good return, albeit there be not 15 days between the *quarto die* of *Tres Mich.* and the Eſſoin-days of *Craſt. Anim.*

XX. All Writs of Summons *ad warrantizandum* againſt Vouchees upon common Recoveries had in Writs of Entrie upon the appearance of the tenant, and all Writs of Right of Advowſon ſhall be abridged to five Returns, as Writs of Summons, *ad warrantizandum* in Writs of Dower have been heretofore uſed.

XXI. This Act ſhall not prohibit the Juſtices of the Kings Courts of Record to aſſign ſpecial days of Return in ſuch caſes and proceſſes, as have uſed to have ſpecial days aſſigned.

XXII. The days in Aſſize of *Darrein Preſentment*, and in Plea *Quare impedit*, limited by the ſaid Stat. of *Marlebridge*, and alſo the days given in Attaint, limited by 5 E. 3. 8. and 23 H. 8. 3. (*which ſee in Attaint*) being not contrary to the tenour of this Act, ſhall be held firm, notwithſtanding this Act.

Damage

Damages and Costs.

I. **Glocester**, 1. 6 *E.* 1. Damages are given in Assizes of *Novel disseisin* as well against the alienee of the disseisor, as against the disseisor himself; so that every one shall answer for his time.

II. The disseisee shall recover damages in a Writ of *Entrie* upon *Novel disseisin* against him that is found tenant after the disseisor.

III. Damages shall be awarded in all cases, where one recovereth in an Assize of *Mortdancestor*. And also in Writs of Cosinage, *Ayel* and *Besayel*.

IV. The Demandant may recover against the Tenant the costs of his Writ, together with the damages aforesaid, and this Act shall hold place in all cases, where the party is to recover damages.

V. **Glocester**, 14. 6 *E.* 2. Disseisees in *London*, shall have damages by Recognisance of the same Assize, whereby they recovered their lands, and the Disseisors shall be amerced before two Barons of the Exchequer, which shall resort once a year, into the Cities to do it, and the Barons and Treasurer shall cause it every year to be levied by two of them at their rising after *Candelmas*, And the Amerciaments shall be levied by summons of the Exchequer to the King's use.

VI. Exposition of **Glocester**, 6 *E.* 1. where any have entred by a Disseisor, the damages shall run from the time of the Statute published.

VII. In Writs of Entrie *sur disseisin*, *Mortdancestor*, *Cosinage*, *Ayel*, and *Besayel*, and touching intrusion, or of ones own Act, by any manner of Writ, the damages shall run after the Writ purchased against them that hold since the Statute, albeit their Ancestor died seised thereof.

VIII. **Stat.** 3 *H.* 7. 10. Where any person bound by a judgement shall sue (before execution had) a Writ of Error to reverse it, if the judgment be affirmed, the Writ discontinued, or the party that sueth it be nonsuit, the party against whom the Writ is brought, shall recover his costs and damages at the discretion of the Justices before whom the said Writ is sued.

IX. **Stat.** 19 *H.* 7. 20. The Statute of 3 *H.* 7. 10. is confirmed, and shall be duly put in execution.

X. **Stat.** 23 *H.* 8. 15. If the Plaintiff be nonsuit or overthrown by lawfull triall in any action, Bill, or Plaint, for tresspas upon the Statute of 5 *R.* 2. 7. (*which see in forcible Entrie*, 1.) or for any debt or covenant, upon specialty or contract, or for *detinue*, account upon the case, or upon any Statute, the Defendant shall in such case, have

have his costs, to be assessed by the Judge or Judges of the Court, and to be recovered as the Plaintiff might have recovered his, in case Judgment had been given for him.

XI. Here, he that sues *in forma pauperis*, shall (not pay costs, but) suffer such punishment as the Justices or Judge of the Court shall think fit.

XII. **Stat.** 24 *H.* 8. 8. There shall be no costs awarded to the Defendant, when any action is sued to the King's use.

XIII. **Stat.** 43 *El.* 6. In personal actions in the Courts at *Westmin.* (being not for land or battery) when it shall appear to the Judges (and so by them signified) that the debt or damages to be recovered, amount not to the summe of 40 *s.* or above, the said Judges shall award to the Plaintiff no more costs than damages, but less, at their discretion.

XIV. **Stat.** 4 *Ja.* 3. If the Demandant or Plaintiff be nonsuit or overthrown by lawful trial, in any action whatsoever, the tenant or Defendant shall have costs, to be assessed and levied, as costs are to be assessed and levied, by the *Stat.* of 23 *H.* 8. 15.

XV. **Stat.** 21 *Ja.* 16. In Actions of Slander, if the Jury find, or assess the damages under 40 *s.* the Plaintiff shall recover no more costs than damages.

Damages Cleere.

I. **Stat.** 17 *Car.* 2. *cap.* 6. *apud Oxon.* All Damage cleere or fees called *Damna Clericorum*, from and after the 29th. of *September* which shall be in the year of our Lord 1672. shall cease and be abolished in all Courts at *Westminster* and elsewhere within *England* and *Wales*.

II, And until the said 29th. of *September* 1672. and no longer, Damage cleere shall be paid and allowed out of such sums of money only as shall be actually levyed or paid by or from the Defendants, and only for the proportion of the sum and sums of money levyed or paid, and no more or otherwise.

Darrain Presentment.

I. **Magna Charta**, 13. 9 *H.* 3. Assizes of *Darrein presentment* shall be taken before the Justices of the Bench, and there shall be determined.

Debt.

Debt.

I. *Mag. C.* 13 *E.* 1. None ſhall reſtrain a forreigner in any City, Borough, Town, Market, or Fair, for any debt, wherefore he is not debtor or pledge, in pain to be grievouſly puniſhed; and if he be, the diſtreſs ſhall be re-delivered without delay by the Bailiff of the place, or the King's Bailiff, if need be.

II. **Stat.** 1 *R.* 2. 12. No Warden of the Fleet ſhall ſuffer any priſoner, (being in by judgement) to go at large, by mainprize, Bail or Baſton, without agreeing with the party for the thing adjudged (unleſs it be by Writ, or other command of the King) in pain to loſe his Office.

III. The Warden being attainted thereof by due proceſs, the Plaintiff ſhall have their recovery againſt him by Bill of Debt.

IV. If any perſon, being judged to another priſon, ſhall (with purpoſe to be removed to the Fleet, and there to have more liberty) confeſs himſelf Debtor to the King, the ſaid Recogniſance ſhall be received; and if he be not Debtor to the King upon record, he ſhall be remanded, and there remain until he hath agreed with the party, and afterwards ſhall be ſent to the Fleet, and there remain until the King be ſatisfied the Cognizance.

V. **Stat.** 2 *R.* 2. *Parl.* 2. 3. Where a Debtor makes a fraudulent conveyance to defraud the Creditor, if upon the *Capias* for the debt, the Sheriff return, he hath not taken him, becauſe of ſome priviledged place where he lies; the Sheriff ſhall have another Writ to make proclamation once a week, five weeks together, at the gate of the priviledged place, that the party appear at the day comprized in the laſt Writ; and then upon return of the ſaid laſt Writ, that proclamation is made accordingly; if the party appear neither by himſelf, nor his Attorney, judgement ſhall be given againſt him upon the principal for his default, and alſo (the Colluſion being proved) Execution had of all his goods and lands without the place priviledged, as well thoſe demiſed as others.

VI. **Stat.** 3 *Jac.* 15. Every Citizen and Freeman of *London*, and every other perſon there inhabiting, being a Tradeſman, Victualler, or Labourer, which hath any debt due to him, not amounting to 40 *s.* by any ſuch perſon aforeſaid, may cauſe the debtor to be ſummoned to the Court of Requeſts at *Guildhall* upon a warning to be left at the debtors houſe by an officer of the ſame Court, or by ſome other reaſonable warning, to appear before the Commiſſioners there, who (or any three of them) ſhall have power to make orders therein, to be regiſtred in a Book, and duly obſerved by both parties.

VII.

VII. The Commissioners also (or any three or more of them) have power to administer oaths both to the parties and witnesses.

VIII. If any such person, as aforesaid, for any such debt commence any suit elsewhere, against any other like person, and that it appear to the Judge upon the Defendants own oath, or other sufficient testimony, that he is a Freeman, or inhabitant of *London*, as aforesaid, and also that the damages sued for, amount not to 40 *s.* the said Judge shall not allow to the Plaintiff any costs of suit at all but shall award to the Defendant his reasonable costs.

IX. None shall refuse to appear upon due summons, or to obey the Commissioners orders, in pain to be imprisoned in one of the Counters of the said Officer, or any other of the Serjeants at Mace of the City, there to remain, untill their orders be performed.

X. This Act shall not extend to any debt for rent, real contracts, or concerning Testaments, Matrimony, or any thing belonging to the Ecclesiastical Court.

XI. **Stat.** 7 *Ja.* 12. None keeping a Shop-book, his Executors or Administrators shall be allowed to give it in evidence for wares or work, above one year before the Action brought, unless they having obtained a Bond or Bill for the debt, or brought an Action thereupon, within one year before the wares delivered or work done.

XII. This Act shall not hold place between Merchant and Merchant, Tradesmen and Tradesmen, or Merchant and Tradesman, for any thing, falling within the compass of their mutual Trades and Merchandize.

Debt to the King.

I. **Magna Charta**, 8. 9 *H.* 3. The King nor his Bailiffs shall levie any debt upon lands or rents, so long as the debtor hath goods and cattels to satisfie, neither shall the pledges be distrained so long as the principal is sufficient, but if he fail, then shall the pledges answer the debt: Howbeit they shall have the debtors lands and rents, untill they be satisfied, unless he can acquit himself against the pledges.

II. **Magna Charta**, 18. 9 *H.* 3. The King's debtors dying, the King shall be served before the Executor.

III. **Mem.** 1. 19. 3 *E.* 1. The Sheriff having received the King's debt upon his next account, shall discharge the debtor thereof, in pain to forfeit three times so much to the debtor, and to make fine at the Kings will.

IV. The Sheriff or his heirs, ſhall anſwer all moneys, that they who he imploys, do receive; and if any other that is anſwerable to the Exchequer by his own hands do ſo, he ſhall render thrice ſo much to the Plaintiff, and make fine, as before.

V. Upon payment of the King's debt, the Sheriff ſhall give a tallie to the debtor, and the proceſs for levying the ſame ſhall be ſhewed him upon demand without fee, in pain to be grievouſly puniſhed.

VI. Artic. ſuper Chart. 12. 28 E. 1. Beaſts of the Plough ſhall not be diſtrained for the King's debt, ſo long as others may be found upon ſuch pain, as is elſewhere ordained by Statute, (viz. by the Statute De diſtrictione Scaccarii, 51 H. 3. which ſee in Diſtreſs.)

VII. The great Diſtreſſes ſhall not be taken for his debts, nor driven too farre, and if the debtor can find convenient ſurety, the diſtreſs ſhall in the mean time be releaſed: and he that doth not otherwiſe ſhall be grievouſly puniſhed.

VIII. Stat. 13 El. 4. All the lands, tenements and hereditaments, with any Accomptant of the Queen, her heirs and ſucceſſors, hath while he remains accomptable, ſhall for the payment of the debts of the Queen, her heires and ſucceſſors be lyable and put in execution in like manner, as if ſuch Accomptant had ſtood bound by writing Obligatorie, (having the effect of a Statute ſtaple) to her Majeſty, her heirs and ſucceſſors for payment of the ſame.

IX. If this *ſuper* be not paid within ſix moneths after the accompt paſt, the Queen, &c. may ſell ſo much of his eſtate as will anſwer the debt, and the overplus of the ſale is to be rendred to the Accomptant or his heirs, by the Officer, that receives the purchaſe-money, without further warrant.

X. If ſuch an Accomptant or Debtor purchaſe lands in other names, in truſt for his uſe, that being found by Office or inquiſition, thoſe lands alſo ſhall be liable to ſatisfie the debt, in ſuch manner as before is expreſſed.

XI. Lands purchaſed by Accomptants, ſince the beginning of the Queen's Reign, either in their own names, or in the names of others in truſt for their uſe, ſhall be alſo liable to be ſold for the diſcharge of their debts, as aforeſaid, rendering the overplus to the Accomptant, as before.

XII. Provided, that Biſhops lands ſhall be onely chargeable for Subſidie or Tenths, as they were before the making of this Act, and no otherwiſe.

XIII. Neither ſhall this Act extend to charge any Accomptant

whoſe

whose yearly receipt exceeds not 100 l. otherwise then as he was lawfully chargeable before this Act.

XIV. Neither shall this Act extend to such accomptants, as by order of their Offices and charge immediately after their accompts past, are to lay out money again, such as are the Treasurers of War, Garrisons, Navie, provision of Victuals, or for Fortifications, or Buildings, and the Master of the Wardrobe, unless the Queen, &c. command present pay.

XV. Neither doth this Act extend to Sheriffs, Escheators, or Bailiffs of Liberties, concerning whose Accompts, the course remains the same that is was before.

XVI. Lands bought of an Accomptant, *bona fide*, and without notice of any fraudulent intent in the Accomptant, shall be discharged: And if they be found by Office, yet shall they upon traverse be discharged without livery, *Ouster le main*, or other suit.

XVII. The Queen, &c. being satisfied by sale of land; the sureties shall be discharged for so much, and if any yet remaine unpaid, the sureties shall pay the residue ratably according to their abilities.

XVIII. **Stat.** 14 *Eliz.* 7. The Statute of 13 *El.* 4. shall also extend to make the lands, &c. and goods of Under-Collectors (substituted by Bishops) and (*sede vacante*) by Dean and Chapter to collect the Tenths and Subsidies of the Clergie liable to their debts.

XIX. The said Under-Collectors shall accompt in the Exchequer, and the Bishop, and Dean and Chapter, (*sede vacante*) shall be discharged of so much as is levied of the Under-Collectors lands, &c. and goods.

XX. **Stat.** 27 *El.* 3. The Queen, &c. may make sale of the Accomptants lands, &c. as well after his death, as in his life time, and as well where the Accompt is made, and the debt known within eight years after his death, as where the accompt was made, and the debt known in his life-time.

XXI. Provided, that after the Accomptants death, and before the lands be sold, a *Scire facias* shall be awarded to garnish the heirs; to shew cause why lands, &c. should not be sold, &c. whereupon if the heir upon such garnishment, or two *Nichils* returned, do not prove unto the Court, that the Executors, or Administrators of the Accomptant have sufficient, then 10 moneths after such two *Nichils* or garnishment returned, the lands, &c. shall be sold, and disposed according to the *Stat.* of 13 *Eliz.* 4.

XXII. Nevertheless, the heirs sale, *bona fide*, upon good consi-

deration before the *Scire Facias* awarded ſhall be good to him, that is not conſenting to defraud the Queen, *&c.*

XXIII. This Statute ſhall extend to all Officers of Receipts and Accompts to her Majeſty, and to no other.

XXIV. If the debt grow in the Courts of the Dutchie or Ward, a privie Seal ſhall iſſue out againſt the heir to appear at a certain day to ſhew cauſe, *&c.* when, if he appears not upon *Affidavit* made that is was duly ſerved, an Attachment, with Proclamation, ſhall iſſue out againſt him to be proclaimed in ſome open Market in the County where he dwelt twenty days (at leaſt) before the return thereof, whereupon, if he appear not, the lands, *&c.* ſhall be ſold and diſpoſed, as aforeſaid.

XXV. The heirs lands ſhall not be ſold, during his minority, but at any time, within eight years after his full age, they ſhall be liable, as aforeſaid.

XXVI. If the Accomptant or Debtor had a *Quietus eſt* in his life-time, that ſhall diſcharge the heir of the debt.

XXVII. **Stat.** 7 *Jac.* 15. No debt ſhall be aſſigned to the King, *&c.* by any debtor or Accomptant, other then ſuch debts as did before grow due originally to the Kings Debtor or Accomptant, *bonâ fide.*

XXVIII. All Grants and Aſſignments of debts to the King, *&c.* contrary to the true intent of this Act ſhall be void.

Decies tantum.

I. **Stat.** 38 E. 3. 12. If a Juror take any thing of either party, to give his verdict, and be attainted thereof by proceſs contained in the Article of *Jurors* of the 34 E. 3. 8. (*which ſee in Jurors,*) he ſhall pay ten times ſo much as he hath taken, to be divided betwixt the King and the proſecutor; And all imbraceors that procure ſuch Inqueſt, ſhall incurre the like puniſhment.

II. If the Juror or Embraceor have not whereof to make gree, he ſhall ſuffer a years impriſonment.

III. But no Juſtice or other Officer ſhall inquire of this offence *ex officio.*

Declaration.

I. **Stat.** 36 E. 3. 15. By the ancient terms and forms of pleadings, no man ſhall be prejudiced, ſo that the matter of the action be fully ſhewed in the Declaration and in the Writ,

Deed

Deeds and Writings.

I. **Stat.** 1 *M. Parl.* 1 Seſſ. 2. *ca.* 4. All Statutes, Recognizances and writings made by or to any perſon ſince the ſixth of *July* laſt, and before *Auguſt* under the name of any other then the Queen ſhall be good.

II. This Act ſhall not extend to make good any letters patents, commiſſion, grants, or other writings made by the Lady *Jane Dudley* ſince the ſaid ſixt of *July* laſt.

Demurrers.

I. **Stat.** 27 *El.* 5. After Demurrer joyned and entred, the Judges ſhall proceed and give judgment according to the right of the cauſe and matter in Law, without regard to any defect in the proceeding, except ſuch onely as the party ſhall expreſs, together with his demurrer: after which time no judgment ſhall be reverſed by writ of *Errour* for any other defect, then ſuch as he ſhall there mention; And if there happen to be any other, the Judges may amend them.

II. This Act ſhall not extend to the proceeding in an Appeal of felony or murther upon an Indictment, Preſentment, or penal Statute.

Dilapidations.

I. **Stat.** 13 *Eliz.* 10. If any Eccleſiaſtical perſons who are bound to repair the buildings, whereof they are ſeized in right of their Place or Function, ſuffer them to fall into decay for want of repair, and make fraudulent gifts of their perſonal eſtate, with purpoſe to hinder their ſucceſſors from recovering dilapidations againſt their Executors or Adminiſtrators: in ſuch caſe, the ſucceſſors ſhall have like remedy in the Eccleſiaſtical Court againſt the grantee of ſuch perſonal eſtate, as he might have had againſt the Executor or Adminiſtrator of the predeceſſor.

II. **Stat.** 14 *El.* 11. All moneys recovered for dilapidations ſhall within two years be imployed upon the buildings, for which they were paid, in pain to forfeit to the Queen, &c. double ſo much as ſhall not be ſo imployed.

Deceit.

* I. Weſt. 1. 29. 3 E. 1. If any perſon do act or conſent to any thing in deceit of the Court or party, and thereof be attainted, he ſhall ſuffer a year and a days impriſonment at leaſt; and if he be a pleader, he ſhall be alſo expelled the Court, and if they ſhall deſerve greater puniſhment, it ſhall be at the King's pleaſure.

II. Officers, Criers of Fee, and Marſhalls of Juſtices in *Eyre* ſhall not take money otherwiſe then they ought to do, in pain to pay the treble thereof to the complainants.

III. Stat. 2 E. 3. 17. A Writ of deceit ſhall be maintainable as well in caſe of garniſhment touching a Plea of land, as in caſe of ſummons in Plea of land.

Diſcontinuance of right or eſtate.

I. Stat. 11 H. 7. 20. If a woman, that hath an eſtate in Dower for life, or in tail joyntly with her husband, or onely to her ſelf, or to her uſe in any lands, &c. of the Inheritance or purchaſe of her husband, or given to the husband and wife by the husbands anceſtors, or any ſeized to the uſe of the husband or his anceſtors, do ſole, or (with an after taken husband) diſcontinue or ſuffer a recovery by coven, it ſhall be void, and he, to whom the land ought to belong after the death of the ſaid woman, may enter (as if the woman were dead) without diſcontinuance or recovery.

II. Provided, that the woman may enter after the husbands death; but if the woman were ſole, the recovery or diſcontinuance barreth her for ever.

III. This Act extends not to any recovery or diſcontinuance with the heir next inheritable to the woman, or by his conſent of record enrolled.

Diſcontinuance of proceſs.

I. Stat. 11 H. 6. 6. No ſuit before Juſtices of Peace ſhall be diſcontinued by a new Commiſſion of Peace.

II. Stat. 1 E. 6. 7. The death of the King ſhall not diſcontinue any ſuit betwixt party and party, neither ſhall the variance between the original and judicial proceſs in reſpect of the King's name be material, as concerning any default to be alledged therefore.

III. As-

III. Aſſizes of *Novel diſſeiſin*, *Mortdanceſtor*, *Juris utrum*, or Attaints ſhall not be diſcontinued by reaſon of death, new Commiſſions, Aſſociations, or the not coming of the ſame Juſtices, or any of them.

IV. Preferment of the demandant or plaintiff to be Duke, Archbiſhop, Marqueſs, Earl, Vicount, Baron, Biſhop, Knight, Juſtice of the one Bench or the other, or Serjeant at Law, ſhall not make the ſuit abatable.

V. Preferment of a Juſtice of Aſſize, Gaol-delivery, or Peace, or of any other Commiſſioner to the dignities aforeſaid, or to be Sheriff, ſhall not leſſen his power. *But note that* to be Sheriff, *is altered by* 1 M. Parl. r. 8. *which ſee in Sheriffs.*

VI. New Juſtices of Gaol-delivery may give judgment of a priſoner found guilty of treaſon or felony, though he were reprieved by other Juſtices.

VII. No proceſs or ſuit before Juſtices of Aſſize, Gaol-delivery, *Oyer* and *Terminer*, or Peace, or other of the King's Commiſſioners ſhall be diſcontinued by a new Commiſſion, or by the alterations of any of their names.

☞ Diſpenſations.

I. Stat. 28 *H.* 6. 15. All Bulls, Breves, Faculties and Diſpenſations from the Biſhop or See of *Rome* to any of the Kings ſubjects in any of the Kings Dominions ſhall be void, and ſhall not be uſed in pain of a *Præmunire*.

II. Former lawfull marriages are confirmed.

III. A confirmation of all Arch-biſhops, and Biſhops, and their authority, and of other Eccleſiaſtical perſons and orders by authority of this Act, and not by any forreign power.

IV. The effect and contents of all Bulls, Breves, and other faculties purchaſed of the See of *Rome*, which are allowable, ſhall be confirmed under the great Seal.

Diſtreſſes.

I. Stat. *De diſtrictione Scaccarii*, 51 *H.* 3. The owner of impounded cattel may give them food without diſturbance.

II. A diſtreſs taken for the Kings debt ſhall not be ſold within fifteen days, and upon ſhewing of a tallie, and giving ſurety for his appearance in the Exchequer, upon the next accompt, the diſtreſs ſhall ceaſe: the Sheriff ſhall alſo attach the party that received the debt to be there alſo at the ſame time.

III. Neither draught nor cattel, nor ſheep ſhall be diſtrained (except for *damage feaſant*) ſo long as other goods may be found to ſatisfie the debt: diſtreſſes ſhall be reaſonable; The Sheriff ſhall anſwer all debts received; and where the Sheriff chargeth himſelf the debtor ſhall be acquitted.

IV. *Marlb.* 1. 52 *H.* 3. All perſons (high and low) ſhall receive Juſtice in the King's Court.

V. None ſhall take any diſtreſs of his own authority without award of our Court, in pain (upon conviction thereof) to be puniſhed by fine, according to the treſpaſs; and the party grieved ſhall be alſo recompenſed his loſs.

VI. *Marlb.* 2. 52 *H.* 3. None ſhall diſtrain any to come to his Court, that is not of his Fee, or upon whom he hath no juriſdiction; neither ſhall diſtreſſes be taken out of the fee or place where he hath no juriſdiction, in pain that the offender ſhall be puniſhed, as before.

VII. *Marlb.* 3 52 *H.* 3, If any will not ſuffer diſtreſſes to be delivered by the King's officers, or ſummons, attachments, or executions of judgments given in the King's Court to be done he ſhall be puniſhed as aforeſaid.

VIII. If a Lord diſtrain his tenant for a thing, for which he hath cauſe to diſtrain, and yet it is afterwards found not to be due; in ſuch caſe, if the Lord ſuffer the diſtreſs to be delivered, he ſhall not be fined; but onely amercied, nevertheleſs the tenant ſhall alſo recover his damages againſt him.

IX. *Marlb.* 4. 52 *H.* 3. None ſhall drive a diſtreſs out of the County wherin it was taken, in pain to make fine, as before: And if a Lord preſume ſo to do againſt his tenant, he ſhall be grievouſly amercied.

X. None ſhall take an unreaſonable diſtreſs, in pain to be grievouſly amercied.

XI. *Marlb.* 15. 52 *H.* 3. It ſhall be lawfull to none (except the King and his Officers, having ſpecial authority) to take diſtreſſes out of his fee, or in the King's high way, or in the common ſtreet.

XII. *Weſt.* 1. 16. 3 *E.* 1. None ſhall drive a diſtreſs out of the County, or diſtrain wrongfully, or out of his fee, in pain to be puniſhed, as by the Statute of *Marlb.* is provided, or more grievouſly, if the Treſpaſs ſo require.

XIII. *Weſt.* 17. 3 *E.* 1. If Beaſts be impounded in a Caſtle or Fortreſs, and (after convenient notice to the Impounder, *&c.*) not ſuffered to be replevied by the Sheriff, or ſome other of the King's Bailiffs, the King will command that Caſtle or Fortreſs to be demoliſhed: and (after the firſt demand of the Sheriff or Bailiff) the

the Plaintiff ſhall recover double damages againſt the Lord, or impounder, or if the impounder be not able, then againſt the Lord only.

XIV. In this caſe, if the Bailiff of the Franchiſe refuſe to do it, then ſhall the Sheriff do it himſelf upon the aforeſaid pains.

XV. Alſo deliverance ſhall be made by attachment of the Plaintiff made without writ, and upon the ſame pain.

XVI. *Antiq.* 2. 36. 13 *E.* 1. None ſhall procure any to diſtrain another to make him appear at the County-Court, or any other inferiour Court, on purpoſe to vex him and put him to charge and trouble, in pain to make fine to the King, and to pay to the party grieved, treble damages.

XVII. *Antiq.* 2. 37. 13 *E.* 1. No diſtreſſes ſhall be taken but by Bayliffs known and ſworn, in pain to reſtore damages to the party grieved, and to be grievouſly puniſhed by the King.

XVIII. *Artic. Cleri.* 9. 9 *E.* 2. Diſtreſſes ſhall not be taken in the high way, nor in the ancient fees of the Church.

*XIX. *Stat.* 1. 2 *P. M.* 12. No diſtreſs of Cattel ſhall be driven out of the Hundred, where it is taken, except to a pound overt within the ſame Shire, nor above three miles diſtant from the place where it was ſo taken: neither ſhall a diſtreſs be impounded in ſeveral places, whereby the owner may be conſtrained to ſue ſeveral *Replevins* for the delivery thereof: in pain to forfeit to the party grieved for every offence committed againſt this Act 5 l. and treble damages.

XX. None ſhall take above 4 d. for the poundage of one diſtreſs, (and where leſs is uſually taken, to take leſs) in pain to forfeit to the party grieved 5 l. beſides what is taken above.

XXI. The Sheriff ſhall at his firſt County-day, or within two months, after he receives the Patent, depute, and proclaim in the Shire-Town four Deputies to make *Replevins*, not dwelling above 12 miles diſtant from one another, in pain to forfeit for every moneth he wants ſuch Deputy or Deputies 5 l. to be divided betwixt the King and proſecutor.

XXII. *Stat.* 17 *Car.* 2. *cap.* 7 *apud Oxon.* For more ſpeedy and effectual proceeding upon Diſtreſſes and Avowries for Rents. *Enacted* that when any Plaintiff in Replevin by Plaint or Writ returned, removed or depending in any of the Kings Courts at *Weſtminſter*, the Defendant making a ſuggeſtion in nature of an Avowry or Conuſance for ſuch rent, to aſcertain the Court of the cauſe of the Diſtreſs, the Court upon his prayer ſhall award a Writ to the Sheriff of the County where the Diſtreſs was taken to enquire by

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the Oaths of 12 good and lawfull men of his Bayliwick touching the ſum in arrear at the time of ſuch Diſtreſs taken, and the value of the Goods or Cattel diſtreined; And thereupon 15 days ſhall be given to the Plaintiff or his Attorney in Court, of the ſitting in ſuch inquiry; And thereupon the Sheriffs ſhall enquire of the truth of the matter contained in ſuch Writ by the Oath of twelve good and lawfull men of his County: And upon the return of ſuch Inquiſition the Defendant ſhall have judgment to recover againſt the Plaintiff the arrearages of ſuch rent, in caſe the goods or cattell diſtreined ſhall amount unto that value: And if they amount not to that value then ſo much as the value as the ſaid goods and Cattell ſo diſtrained ſhall amount unto, together with full coſts of ſuit, and ſhall have execution thereupon by *Fieri facias* or *Elegit* or otherwiſe as the Law ſhall require. And in caſe ſuch Plaintiff ſhall be nonſuit after Conuſance or Avowry made, and iſſue joyned, or if the Verdict ſhall be given againſt ſuch Plaintiff, then the Jurors that are impannelled or returned to enquire of ſuch iſſue, ſhall at the prayer of the Defendant enquire concerning the ſum of ſuch arrears and the value of the Goods or Cattel diſtrained: And thereupon the Avowant, or he that make Conuſance ſhall have judgment for ſuch arrearages or ſo much thereof as the Goods or Cattel diſtrained amounts unto together with his full coſts and ſhall have execution for the ſame by *Fieri facias* or *Elegit* or otherwiſe as the Law ſhall require.

XXIII. And if any judgment in any of the Courts aforeſaid, be given upon Demurrer for the Avowant or him that maketh Conuſance for any rent, the Court ſhall at the prayer of the Defendant award a Writ to enquire of the value of ſuch diſtreſs: And upon return thereof, judgment ſhall be given for the Avowant or him &c. for the arrears alledged to behind in ſuch Avowry or Conuſance, if the Goods or Cattel ſo diſtrained amount to that value: And if they ſhall amount to that value, then for ſo much as the ſaid Goods or Cattel ſo diſtrained amount unto, together with his full coſts of ſuit: and ſhall have like execution as aforeſaid.

XXIV. Provided that in all caſes aforeſaid when the value of the Cattel diſtrained as aforeſaid, ſhall not be found to be to the full value of the arrears diſtrained for, that the party to whom ſuch arrears were due, his Executors or Adminiſtrators may from time to time diſtrain again for the reſidue of the ſaid Arrears.

Days

Dover, *see Title* Havens *and* Rivers *num.* XIV.

I. Artic. super Chart. 7 28 *E.* 1. The Constable of *Dover*-Castle shall not hold plea of any forrain County within the Castle gates, except it concern the keeping of the Castle; neither shall he distrain the Inhabitants of the five Ports to plead elsewhere, or otherwise then as they ought, according to the form of their Charter, confirmed by the great Charter.

Dower.

I. Merton, 1. 20 *H.* 3. A woman deforced of her Dower or *Quarentine*, in a Writ of Dower shall recover damages, *viz.* the value of her Dower from her husbands death to the day of the Recovery of her Dower and the deforceor shall be amerced.

II. Westm. 2. 48. 3 *E.* 1. In a Writ of Dower (*unde nihil habet.*) the Writ shall not abate by the exception of the Tenant that she hath received her Dower of another before the Writ purchased, unless he can shew, that she received part of her Dower of himself and in the same Town before the Writ purchased.

III. Westm. 2. 4. 13 *E.* 1. The Wife shall be endowable, as well where land was recovered against her husband by default as by owin; so that albeit the land was lost by the husbands default, yet that shall be no good allegation for the tenant, but he must then proceed and shew his right, otherwise the wife shall recover.

IV. When Tenant in Dower, in Franck-marriage, by the courtesy, for life or in tail, lose their land by default, and the tenant is compelled to shew his right, they may vouch the Reversioner, if they have warranty; and then the Plea shall pass betwixt the tenant and the warranter according to the tenor of the Writ, by which the tenant recovered by default; and so from many actions they all resort to one judgment, *viz.* that the demandants shall recover their demand, and the tenants shall go quit.

V. Here, if the Action of such a Tenant, which is compellable to shew his right, be moved by a Writ of right, albeit the great Assize or Battel cannot be joyned by words accustomed, yet shall it in that case be joyned by words convenient.

VI. If the wife be wrongfully endowed by the Guardian, during the minority of the heir, he (at full age) shall be righted; yet shall the wife retain her just Dower, if she make her title good.

VII. By this Statute, in place of a Writ of right, a *Quod ei deforceat*

forreat is given to tenant in Dower, in free marriage by the courtesie for life, and in tail, upon loſing by default.

VIII. **Stat.** 1 *E.* 6. 12. The wife ſhall be endowed albeit her husband were attainted, convicted, or outlawed for treaſon or felony, ſaving the right of others. *But note that this clauſe is altered for Treaſon by* 5 *E.* 6. 12. *which ſee in* Treaſon.

☞ Drapery.

*I. **Stat.** 11 *E.* 3. 3. No Clothes made beyond Sea ſhall be be brought into the Kings Dominions, in pain to forfeit the ſame, and to be further puniſhed at the Kings will.

*II. **Stat.** 11 *E.* 3. 5. Cloth-workers of ſtrange lands which come into the Kings dominions, ſhall have the Kings protection, dwell where they pleaſe, and have convenient franchiſes granted to them.

III. **Stat.** *of Clothes*, 25 *E.* 3. *Stat.* 4. All Clothes vendible ſhall be meaſured by the Kings Aulnager or his Deputies.

IV. Every cloth of Ray ſhall be 28 yards long, and ſix quarters broad, and is to be meaſured by the Liſt; alſo the length of a coloured cloth ſhall be 26 yards, and the breadth ſix quarters and an half, and ſuch clothes are to be meaſured by the back: *But this Statute for the meaſure is altered by* 27 *E.* 3. *Stat.* 4.

*V. **Stat.** 27 *E.* 3. *Stat.* 1. 4. Clothes ſhall not be forfeit for want of meaſure, but the Aulnager ſhall meaſure them, and ſet a mark thereunto, expreſſing what each cloth contains: and he ſhall take for his fee of the ſeller an half penny for every cloth which is of Aſſize, and a farthing for an half cloth, but he ſhall take nothing for leſſer clothes, neither ſhall he meddle with cloths which are not to be ſold, and the buyer ſhall pay according to the quantity of the cloth.

VI. A ſubſidy granted to the King of every cloth, *viz.* a cloth (not granted) of aſſize 4 d. the half cloth 2 d. Scarlet 6 d. and 3 d. half grained, 5 d. and 2 d. ob.

VII. Every cloth paſſing half a cloth by three yards ſhall pay ſubſidy for a whole cloth.

VIII. No ſubſidy ſhall be paid for an half cloth, nor for cloth made for a mans own uſe, or ſealed by the Aulnager for ſubſidy paid before.

IX. Clothes put to ſale before they be ſealed ſhall be forfeited to the King.

X. **Stat.** 50 *E.* 3. 7. Woollen clothes ſhall not be tranſported beyond Sea, or pay ſubſidy before they be fulled.

XI.

XI. Stat. 50 E. 3. 8. Clothes called *Friſe-ware* made of *Iriſh* wooll ſhall pay no ſubſidy or Aulnage.

*XII. Stat. 3 R. 2. 2. The Aulnager ſhall not ſeal a piece cloth, in pain that the owner ſhall forfeit the cloth and the Aulnager his Office.

XIII. If he ſeal a cloth which is not of Aſſize, he ſhall forfeit the value of the cloth and his office; and beſides ſuffer impriſonment, and be ranſomed at the Kings will.

XIV. Stat. 7 R. 2. 9. A confirmation of all Statutes made againſt deceit in clothes to be ſold, and againſt Aulnagers and Collectors of the ſubſidy of clothes.

*XV. He that findeth defects in any clothes contrary to former Statutes ſhall have the value of the third part of ſuch clothes, which nevertheleſs ſhall be anſwered to the King by the Aulnager together with the reſt of the clothes forfeited.

XVI. Stat. 13 R. 2. 10. Cogware and Kendal cloth ſhall not be ſubject to the Statute of Aſſize of cloth, but ſhall be made of ſuch length and breadth, as formerly, ſo it be made alſo of ſuch courſe wooll as formerly.

*XVII. Stat. 13 R. 2. 11. No plain clothes tacked or folded made in the Counties of *Somerſet*, *Dorſet*, *Briſtol* and *Glocester*, ſhall be put to ſale before they be opened, in pain to forfeit them.

XVIII. The Workers, Weavers and Fullers, ſhall put their ſeals to every cloth, upon a certain pain to be limited by the Juſtices of Peace.

*XIX. Stat. 17 R. 2. 2. No cloth ſhall be ſold before it is meaſured and ſealed by the Aulnager, upon the pains contained in the Statutes thereof made.

XX. No deceit ſhall be uſed in Kerſeys, in pain to forfeit the ſame.

XXI. Stat. 4 H. 4, 24. The Aulnage may be let to farm by improvement according to the diſcretion of the Lord Treaſurer and Barons of the Exchequer, notwithſtanding the Statute of the 17 R. 2. *which ſee in Offices.*

XXII. Stat. 9 H. 4. 2. No cloth called *Kendal*, whereof the yard paſſeth not 6 s. 8 d. ſhall be ſealed, neither ſhall any Aulnage be paid for the ſame.

*XXIII. Stat. 11 H. 4. 6. None ſhall take or plight together clothes before the Aulnager hath ſet his ſeal unto them, in pain to forfeit the ſame.

*XXIV. If the Aulnager be attainted to do contrary to this Statute, he ſhall forfeit to the King for the firſt offence 10 l. And for

for the second 20 l. And for the third offence, his body shall be arrested, and all his Goods and Chattels at the King's will; And here the Prosecutor shall have a fourth part of the said forfeitures of 10 and 20 l. saving to the Lords and other their Franchises.

* XXV. Stat. 11 H. 6. 9. This word *Cloth* in the aforesaid Statutes of 7 H. 4. 10. and 11 H. 4. 6. shall be understood of *Broad Cloth* and *broad dozens*, and not of *Streats*.

XXVI. Every man may make and sell all Streats containing in length 14 yards, and in breadth one yard unwatered, or else 13 yards watered, paying to the King the due Aulnage, subsidy, customs, and other devoirs.

XXVII. If Streats want the aforesaid length and breadth. The Aulnager shall cut off the list thereof at one of the ends, to the end it may be afterwards sold as a remnant; and not for a cloth.

XXVIII. No such clothes shall be put to sale, untill they be measured, searched and sealed by the Aulnager, in pain to forfeit the same.

XXIX. The Aulnager, that sealeth any Streats wanting the length and breadth aforesaid, and cutteth not off the list, as aforesaid, shall forfeit to the King for every such piece of defective cloth 6 s. 8 d.

* XXX. Stat. 4 E. 4. 1. Broad-cloth made fit for sale shall contain in length 24 yards with a man's Inch to be added to every yard, and is to be measured by the crest; and in breadth 2 yards or 7 quarters at least within the lists: And if the cloth be longer the buyer shall pay for it, (over and besides) according to the rate.

XXXI. Streats made fit for sale shall contain twelve yards and three such inches in length, and one yard in breadth, within the lists.

XXXII. Kerseys made fit for sale, shall contain 18 yards and 3 inches in length, and in breadth a yard and a nail, or (at least) a yard within the lists.

XXXIII. Every half Cloth, Streat and Kersey shall keep his measure in length and breadth according to the rate of the whole cloth respectively.

XXXIV. None shall put into cloth to be sold any lambs wool, flocks or cork, in pain to forfeit 20 s. for every cloth or half cloth so mingled, to be divided betwixt the King and the prosecutor.

XXXV. Provided that cloth may be made of lamb's wool only, and cork may be used in dying upon woaded wool, and of cloth made onely of woaded wooll; the said wool and cloth being perfectly

fectly boyled and maddered: cork alſo may be put upon cloth perfectly boyled and maddered.

XXXVI. Every piece of cloth ſhall be perfectly wrought throughout the whole piece according to the ſame order of workmanſhip.

XXXVII. If any difference in weaving, fulling, knotting, or barking, or any taw, ſkaw, cockle or flag happen therein, a ſeal of lead ſhall be hanged on the loweſt part of the edge thereof, to the end the buyer may take notice thereof.

XXXVIII. Clothes, Streats and Kerſeys of a true length, breadth and making ſhall be ſealed at the end thereof with a double print of lead.

XXXIX. Clothes, Streats and Kerſeys not containing the due length and breath, or not perfectly made, and two parts thereof perfectly made, keeping their ſaid length and breadth, every ſuch piece ſhall be ſealed in form aforeſaid.

XL. If a Cloth, Streat, or Kerſey be longer than an half cloth and ſhorter than an whole one, and yet have the true breadth, and be perfectly wrought, it ſhall have a ſeal differing from the other two aboveſaid, and fixed to the end thereof.

XLI. A Cloth, Streat or Kerſey leſs than an half Cloth ſhall be ſealed at the end thereof by a ſeal differing from all the reſt.

XLII. All the ſaid ſeals are to be ordained by the Lord Treaſurer for the time being, who hath power to make as many Keepers of them as he ſhall think neceſſary, ſo as one of them be Aliens.

XLIII. Theſe Keepers ſhall yearly render an account of the revenue of their Offices without paying any fees for the ſame, and ſhall alſo be rewarded by the Treaſurer and Barons according to their labour and diligence.

XLIV. If any of the ſaid Keepers be found faulty or corrupt in his Office, refuſe to ſeal, extort more than his due fees, or refuſe to ſhew his Commiſſion upon ſealing or meaſuring any ſuch cloth, he ſhall forfeit twenty ſhillings to be divided betwixt the King and the proſecutor, and to be recovered in the Exchequer.

XLV. This Statute and others heretofore made and in force, which concern the premiſſes, ſhall be inſerted in every ſuch Keeper or *Aulnager*'s Commiſſion.

XLVI. The Clothier ſhall pay to his work-folks their wages in ready money, and not in wares as formerly, in pain to forfeit to ſuch work-folks treble damages, and ſhall deliver them wooll according to due weight, in pain to forfeit 6 d. for every ſuch default.

XLVII.

XLVII. Every Carder, Spinſter, Weaver, Fuller, Shearman and Dyer, ſhall duly perform their duty in their occupation, in pain to forfeit double damages to the party grieved; and every Fuller in Fulling, Rowing or Tazelling of Cloth, ſhall uſe Tazels and not Cards, in pain to yield double damages to the party grieved.

XLVIII. Every Juſtice of Peace, Conſtable of an Hundred, or Steward of a Leet out of Corporation, and in Corporations every Head-Officer or Officers where no Maſter is, and every Maſter ſhall hear and determine ſuch complaints as well concerning the non-payment of the Labourers wages as the damages aforeſaid, for which ſaid damages they ſhall alſo have power to commit the offender to priſon, until the party grieved be ſatisfied.

XLIX. The ſaid Juſtice and Officers have power at the inſtance of any other perſon to enquire after, and puniſh ſuch offenders by inflicting 3 s. 4 d. upon them, to be paid to the King or other Lord of the Liberty, where ſuch offence is committed.

L. No Cloth made in any other Region (except in *Wales*, *Ireland* or taken at Sea without fraud) ſhall be brought into *England* to be ſold, in pain to forfeit the ſame.

LI. **Stat.** 7 *E.* 4. 2. The inhabitants of the hundreds of *Liſton*, *Taveſtock* and *Roxburgh* in *Devon*, may put flocks into their cloths, notwithſtanding the Statute of 6 *E.* 4. 1. *Vide ſupra.*

* LII. **Stat.** 17 *E* 4. 3. No perſon, Denizen or Stranger, ſhall carry beyond Sea any Woollen Yarn or Cloth not fulled, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor.

LIII. **Stat.** 7 *E.* 4. 5. Woollen clothes, half clothes, Streits and Kerſeys, being perfect in making and meaſure ſhall be ſealed with wax at both ends, except in *London* and *Briſtol*, which ſhall be ſealed with lead.

LIV. The Lord Treaſurer hath power to let to farm the Subſidy and Aulnage of clothes, and alſo the moiety of all forfeitures of clothes not duly ſealed, for which they ſhall be accomptable in the Exchequer.

* LV. **Stat.** 1 *R.* 3. 4. Broad-cloth ſhall be fully watered before it be put to ſale, and every whole cloth, and alſo Broad-cloth being watered ready for ſale, ſhall contain in length 24 yards, each yard having a man's inch added thereunto to be meaſured by the creſt, and ſhall alſo contain in breadth two yards within the liſts.

LVI Every half ſuch cloth ſhall contain in length 12 yards with inches, and to be meaſured by the creſt, as aforeſaid, and in breadth two yards within the liſts.

LVII.

LVII. The half cloth ſhall not exceed 16 yards in pain of cutting the whole cloth in three pieces, and the half Cloth in two pieces; and to loſe for every whole Cloth 6 s. 8 d. and for every half cloth 3 s. 4 d. not fully watered, or not keeping the ſaid meaſures.

LVIII. If a whole cloth or half cloth exceed theſe meaſures, the buyer ſhall pay for the exceſs: Howbeit the half cloth muſt not paſs 16 yards.

LIX. Streats ſhall contain in length 12 yards with inches, as aforeſaid, and in breadth one yard within the liſts, in pain to have each of them cut in two pieces, and beſides to forfeit for each of them 20 d.

LX. Kerſeys ſhall contain in length 18 yards with inches, as aforeſaid, and in breadth one yard and a nail at leaſt, in pain to have them cut as aforeſaid, and to forfeit for each of them three ſhillings four pence.

LXI. The Lord Treaſurer ſhall appoint ſeals for cloth to be made, having the King's arms printed on the one ſide, and the arms, ſign or token of the City, Borrough or Town, or the name of the County where they are made, on the other ſide.

LXII. The Lord Treaſurer ſhall make none Aulnager Sealer or Keeper of the ſeal, but him that is expert in cloth-working, and worth 100 l. at leaſt, and the officer ſo deputed ſhall ſell no cloth but ſuch as is made within the limits of his deputation, in pain to forfeit to the King for every whole cloth 5 marks, for an half cloth 33 s. 4 d. for a Streat 20 s. and for a Kerſey 10 s.

LXIII. None ſhall ſet or draw in length or breadth any cloth fully watered by tentoring or otherwiſe, in pain to forfeit the ſame.

LXIV. None ſhall ſet, caſt, or put upon cloth any flocks, chalk, or other deceitful thing, in pain of 40 s. for every cloth ſo uſed.

LXV. No Shear-man or other ſhall ſhear or cancel any cloth not fully watered, upon the like pain of 40 s. for every cloth.

LXVI. None ſhall convey any cloth beyond Sea, not fully watered, and after it is ſo watered, it ſhall not be ſet or drawn in length or breadth, in pain of forty ſhillings for every cloth ſo conveyed.

LXVII. None ſhall retail cloth before it be fully watered, and being ſo watered it ſhall not be ſet or drawn, as aforeſaid, in pain that the ſeller ſhall forfeit the ſaid cloth, or the value thereof.

LXVIII. None ſhall keep in his houſe any tentor or other engine, whereby cloth may be drawn in length or breadth; in pain of 20 l. but tentors ſhall be ſet in open places, and uſed onely for

the due ſtretching of cloth after it cometh from the Mil, and before it be rowen; And all Head-officers ſhall take care that cloth put upon tentors ſhall not be unduly drawn in length or breadth.

LXIX. No ſtranger ſhall buy any wool which ſhall paſs through the Straits of *Marroke*, ſorted, clacked, or barked, nor any wooll whereof any locks or refuſe ſhall be made, but ſuch as is clipped and purely wound without deceit and Merchantable, according to the growing of the Country, without ſuch ſorting, clacking or refuſe, as aforeſaid, in pain to forfeit ſuch wooll, and the double value thereof.

LXX. No Dier ſhall dy any cloth with Orchel or Cork, in pain of 40 s. neither ſhall any put to ſale any cloth ſo dyed, in pain to forfeit the ſame: Howbeit cork made within this Realm may be uſed in dying upon woolwards, ſo that the wool and cloth be perfectly boyled and maddered: alſo ſuch Engliſh cork may be put upon cloth that is perfectly boyled and maddered.

LXXI. Every Dyer ſhall dy both the cloth and the liſt with one and the ſame colour, in pain to forfeit the ſame.

LXXII. None ſhall put to ſale any cloth deceitfully dyed, in pain to forfeit the ſame, or the value thereof.

LXXIII. Faulty cloth ſhall be brought to the chief Officer of the place where it is ſeized, and ſhall be cut into three parts whereof the ſeizor ſhall have one, another ſhall be by him carried into the Exchequer, and the third the ſaid Officer ſhall have for the uſe of the Commonalty.

LXXIV. All other forfeitures of this Act ſhall be divided betwixt the King and the proſecutor.

LXXV. The Statute ſhall not extend to cloth, called Ray, or joyned with Ray, Plonkets, Turkins, Celeſtrines, Packing whites, Veſſes, Cogware, Worſteds, Florences, Baſtards, Kendals, Sailing ware or Frize ware; The ſaid clothes being perfectly made, according to their nature and true making.

* LXXVI. **Stat. 3 H. 7. 11.** None ſhall tranſport any woollen before it is barbed, rowed and ſhorn, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor, except Veſſes, Rayes, ſailing clothes, and others ſold at 40 s. or under.

LXXVII. **Stat. 3 H. 8. 7.** The Statute of 7 E. 4. 3. and 3 H. 7. 11. are confirmed; onely Veſſes, Rayes, ſailing clothes and others, not exceeding four marks the cloth, may be tranſported.

* LXXVIII. **Stat. 5 H. 2.** None ſhall make white Streats to ſell, but when they are raw ready to be toked, and being a yard and half a quarter broad, and 15 yards long, and except the ſame

maker ſet his ſpecial mark upon them, neither ſhall any uſe another's mark, in pain to forfeit the clothes otherwiſe made or marked, to be divided betwixt the King and the ſeizor.

*LXXIX. Stat. 5 H. 8. 3. White clothes at five marks and under may be conveyed beyond the Sea unbarbed, unſhorn and unrowed.

LXXX. None ſhall convey beyond Sea any ſuch clothes worth above five marks the piece unbarbed, unſhorn, unrowed, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor.

*LXXXI. Stat. 6 H. 8. 8. The Statute of 5 H. 8. 2. is made perpetual: that none ſhall make white or ruſſet Streats, which (being raw) ſhall not be of length and breadth, and marked, as by the ſaid Statute of 5 H. 8. 2. is ordained, and ſhall not weigh 14 pounds, the piece at leaſt, in pain to forfeit the ſame, to be divided betwixt the King and the ſeizor.

*LXXXII. Stat. 6 H. 8. 9. The wooll delivered by the Clothier for Breaking, Kembing, Carding or Spinning, ſhall be by juſt weight of *Avoir du poiz*, not exceeding above one quarter for the waſte in 12 pound of ſeimed wooll; and the Breaker, Kember, Carder and Spinner ſhall re-deliver to the Clothier the ſame wool, or woollen yarn by the ſame weight (the waſte thereof excepted) without concealing any part thereof, or putting any thing therein deceitfully, in pain to forfeit to the Lord of the Leet, where the work is done, for every ſuch default 12 d. upon proof thereof before the Head-officer there, calling to him fit perſons to prove the ſame.

LXXXIII. The Weaver ſhall put all the yarn delivered unto him into the web, or reſtore it, without putting any thing deceitfully thereunto, in pain of 3 s. 4 d.

LXXXIV. None ſhall buy any coloured wool or yarn of any Carder, Spinner or Weaver but in open Market, in pain to forfeit the ſame.

LXXXV. The Walker and Fuller ſhall duely work every Web without flocks or other deceit, and ſhall not row or work it on either ſide with Cards, in pain of 6 s. 8 d.

LXXXVI. None ſhall put to ſale any cloth (which being wet) ſhall ſhrink above one yard in length, and one quarter in breadth for the more part thereof, or Narrows or Streats after that rate, in pain of 6 s. 8. d. and to abate the buyer for ſuch defect.

LXXXVII. None, after he hath bought cloth, ſhall draw or drain it in length or breadth with tentor, wrinch or otherwiſe in pain of 5 l.

LXXXVIII. Provided, that ſuch buyer (having for proof-ſake fully wet cloth) may draw and ſtrein them for evening them onely, ſo that he exceed not one yard of the length it had, when it was fully wet.

LXXXIX. None ſhall put upon clothes any flocks or other deceit, in pain of 20 s.

XC. The buyer and ſeller of clothes ſhall meaſure them by yard and inch of the Rule, and not otherwiſe, in pain of 5 l.

XCI. The forfeitures aforeſaid ſhall be divided betwixt the King and the proſecutor.

XCII. This Act ſhall not extend to *Kendals*, Carpet Whites, *Toſtocks* made in *Devon*, Clothes made in *Cornwall*, Cottons or Frize made in *Wales*, *Lancaſhire* or *Cheſhire*.

XCIII. **Stat.** 14. & 15 *H.* 8. 11. The Statute of 6 *H.* 8. 9. Touching the ſhrinking of clothes ſhall not extend to Veſſes or ſet clothes, when they exceed not the value of 40 s. the cloth.

* XCIV. **Stat.** 25 *H.* 18. None ſhall make cloth in *Worceſter-ſhire*, but onely ſuch as dwell in *Worceſter*, *Eveſham*, *Droitwich*, *Kederminſter* and *Bromiſgrave*, in pain to forfeit for every cloth elſwhere made 40 s.

XCV. This Act ſhall not extend to clothes made for any perſons own uſe, their children or ſervants.

* XCVI. **Stat.** 27 *H.* 8. 12. Every Clothier ſhall cauſe his mark to be woven in his Clothes and Kerſeys, and ſhall ſet a ſeal of lead thereunto, ſhewing the true length thereof, as they will hold being wet; and in caſe of defect, the Clothier ſhall forfeit the double value thereof to the buyer.

XCVII. If the Clothier put any Clothes to ſale before they be ſealed by the Aulnager, or order them not, as aforeſaid, they ſhall be forfeited, and divided betwixt the King and the proſecutor.

XCVIII. Broad cloth ſhall hold ſeven quarters in breadth, betwixt the liſts, being proved by the water, and Kerſeys one yard, in pain of 3. s. 4 d. for that, and 20 d. for this, to be divided betwixt the King and Proſecutor.

XCIX. This Statute ſhall not extend to ſell clothes not exceeding ſeven Nobles the cloth, nor to *Taveſtock*, Weſtern Dozens, Frizes, *Kendal's* Cottons, nor courſe clothes made for linings.

C. The Aulnager ſhall not ſeal clothes, until they be ſealed by the aforeſaid ſeal of content, in pain to loſe his Office, neither ſhall the buyer afterward alter them by ſtretching, unleſs he after reduce them to the right content again, in pain to forfeit the double value thereof, to be divided as aforeſaid.

* Cl

* CI. Stat. 27 H. 8. 13. Every white woollen cloth ſold for 4 l. and under, and every coloured cloth ſold for 3 l. and under may be conveyed beyond Sea unbarbed, unſhorn and unrowed; but none ſhall convey ſuch clothes beyond Sea above theſe prices, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor.

* CII. Stat. 33 H. 8. 3. Welſh clothes called Whites, Ruſſets and Kennets, brought into Fairs or Markets to be ſold, ſhall be ſould in plights or cuttles, and not hard rolled together, in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

* CIII. Stat. 33 H. 8. 19. None ſhall ſhip any white Woollen cloth above the value of 4 l. not coloured above 3 l. unrowed, unbarbed or unſhorn, with an intent to convey it beyond Sea, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the proſecutor.

* CIV. Stat. 3 & 4 E. 6. 2. Every Clothier ſhall ſet his ſeal of lead to his cloth, declaring the juſt length thereof, to be tried by the water.

CV. None ſhall ſtretch any cloth above a yard and an half in length, and a quarter in bredth, in pain of 40 s.

CVI. None upon the ſaid pain ſhall put to ſale any cloth which (being wet) ſhall ſhrink above a yard and a quarter in length, or a quarter in breadth: neither ſhall Streats or Kerſeys be ſtretched above a yard in length, and half a quarter in breadth, in pain of 20 s.

CVII. None ſhall put to ſale any cloth, Narrow, Streat or Kerſey, the pieces whereof (being wet) ſhall ſhrink more then after the ſame rates, in pain of 20 s.

CVIII. None ſhall dy any cloth before it be perfectly boiled, grieved, or maddered upon the Woad, and well ſhot with good cork or orchal, in pain of 20 s.

CIX. None ſhall dy any wooll to be converted into cloth; hats or caps, before it be perfectly woaded, boyled, and maddered, in pain to forfeit for every ſuch cloth, or ſo much wool as makes a cloth 40 s. neither ſhall any dy with braſil to make a falſe colour in cloth, wool, hats or caps, in pain of 20 s.

CX. None ſhall put upon cloth any flocks, chalk, flour, ſtarch, or other deceivable thing, in pain of 40 s.

CXI. None ſhall uſe any iron cards or pickards in rowing of cloth; in pain to forfeit the ſame, and 20 s. beſides.

CXII. None ſhall ſell any cloth by other meaſure then yard and

inch, according to the Statute of *6 H.* 8. 9. in pain to forfeit for every yard otherwiſe meaſured 6 s. 8 d.

CXIII. None ſhall put to ſale within this Realm any cloth preſſed, in pain to forfeit the ſame, or the value thereof.

CXIV. Juſtices of Peace and Head-officers ſhall in their ſeveral Precincts appoint and ſwear Overſeers, for the due obſerving of this Statute concerning the well ordering of cloth, who ſhall have power to make ſearch accordingly.

CXV. The forfeitures for defaults in cloth (mentioned in that Statute) ſhall be recovered in any Court of Record, and ſhall be divided betwixt the King and the Overſeer that diſcovers them: but in caſe the Overſeers will not ſue for them within half a year, then may any other within another half year take the ſuit, and ſhall have the overſeers moiety.

CXVI. No Overſeer duely choſen ſhall refuſe to execute that Office, in pain of 40 s. and ſhall remain in the cuſtody of the Sheriff, until he pay it or give ſecurity for it; and this ſhall be divided betwixt the King and the Juſtices of Peace, or Head-officers that choſe him.

CXVII. The Overſeers or two of them, at leaſt, ſhall once every Quarter make due ſearch for the true executing of this Statute, in pain of 10 l. to be divided betwixt the King and the proſecutor.

CXVIII. None ſhall interrupt the Overſeers in the due execution of their office, in pain of 20 l. to be divided betwixt the King and the Overſeers ſo interrupted.

CXIX. None ſhall take advantage of the forfeitures given by this Act, unleſs the ſuit for them be commenced within one year after they accrue.

CXX. Every Clothier ſhall cauſe the letter *E* crowned to be wrought in every cloth, in pain of 20 s. to be divided betwixt the King and the proſecutor.

*CXXI. *Stat.* 5 & 6 *E.* 6. 6. Every broad cloth made in *Kent*, *Suſſex* or *Reading* or of like making with them (being thorow wet) ſhall contain in length betwixt 28 and 30 yards uſuall meaſure, and in breadth ſeven quarters throughout within the liſts, and being well ſcoured, thicked, milled and dried, ſhall weigh 90 pounds at leaſt.

CXXII. Every white cloth made in *Worceſter*, *Coventry*, or elſewhere of like making (being wet) ſhall contain in length betwixt 29 and 30 yards with inches of the Standard, and ſeven quarters throughout in breadth betwixt the liſts, and being ordered as aforeſaid, ſhall weigh 84 pounds at leaſt: and every coloured cloth

there

there ſhall contain like length and breadth, and ſhall weigh 80 pounds at leaſt.

CXXIII. White ſhort Worceſters ſhall contain in length (being wet) betwixt 23 and 25 yards with inches as aforeſaid, and in breadth, as aforeſaid, and ſhall weigh 60 pounds at leaſt.

CXXIV. Coloured long clothes made in *Suffolk*, *Norfolk*, *Eſſex* and elſewhere of like ſort, ſhall contain in length (being wet) betwixt 20 and 30 yards and inches, and in breadth 7 quarters, and ſhall weigh 80 pounds at leaſt: and coloured ſhort clothes there and elſewhere ſhall contain in length betwixt 23 and 25 yards, and the breadth aforeſaid, and ſhall weigh 64 pound at leaſt: Alſo coloured or white Handy-warps there and elſewhere ſhall be of like breadth, and every yard thereof ſhall weigh three pounds.

CXXV. All Whites and reds in *Wilts*, *Gloceſter-ſhire*, and *Somer-ſet*, and elſewhere of like making (being wet) ſhall contain in length betwixt 26 and 28 yards, and ſeven quarters in breadth, and weigh (being white) 64 pound: but coloured 60 pounds at leaſt, alſo Plunkets, Azures, Blues, and other coloured clothes made there, and elſewhere, ſhall contain in length betwixt 25 and 28 yards, be of the ſame breadth, and ſhall weigh 88 pounds.

CXXVI. Ordinary Kerſeys ſhall contain in length betwixt 17 and 18 yards, and ſhall weigh 20 pounds, and ſorting Kerſeys ſhall have equal length, but ſhall weigh 13 pounds.

CXXVII. The length of *Devonſhire* Kerſeys called *Dozens* ſhall be betwixt 12 and 13 yards, and their weight 14 pounds.

CXXVIII. The length of Broad clothes called *Tauntons*, *Bridg-waters*, and the like, ſhall be betwixt 12 and 13 yards, and their breadth 7 quarters: And every narrow cloth made there or elſewhere of like ſort, ſhall contain in length betwixt 24 and 25 yards, and in breadth one yard, and ſhall weigh 34 pounds.

CXXIX. Check Kerſeys and Streats ſhall contain in length betwixt 17 and 18 yards, and in breadth one yard, and ſhall weigh 24 pounds.

CXXX. Frizes in *Wales* and elſewhere of like making, ready for ſale and wet, ſhall contain 36 yards at moſt in length, and three quarters in breadth, and ſhall weigh 48 pounds, and every half piece after the ſame rate.

CXXXI. Nothern Clothes ſhall be betwixt 23 and 25 yards long, and 7 quarters broad, and ſhall weigh 6 pounds.

CXXXII. Dozens ſhall be betwixt twelve and thirteen yards long, and ſeven quarters broad, and ſhall weigh thirty three pounds.

CXXXIII. Pennyſtones and Foreſt Whites ſhall be betwixt 12 and 13 yards long, and ſix quarters and an half broad, and ſhall weigh 28 pounds.

CXXXIV. *Manchester*, *Lancaſhire*, and *Cheſhire* Cottons ſhall be 22 yards long, and three quarters broad, and ſhall weigh 30 pounds.

CXXXV. *Manchester* Ruggs or Frizes ſhall be 36 yards long, three quarters broad, ſhall not be ſtretched above a nail, and ſhall weigh 48 pounds.

CXXXVI. If any put to ſale any of the broad clothes aboveſaid not of the due length, breadth or weight aboveſaid, they ſhall forfeit for every cloth defective or exceeding in length or breadth 40 s. and for every pound it wants (not exceeding four) 2 s. the pound, and if it want more then four, they ſhall forfeit 40 s.

CXXXVII. Provided, if broad cloth exceed the due length by reaſon of the fineneſs or ſtuffy making thereof, the maker ſhall not incur any penalty thereby.

CXXXVIII. If any put to ſale any of the other clothes above ſpecified not of due length, breadth and weight, as aforeſaid, they ſhall forfeit 20 s.

CXXXIX. None ſhall put any flocks or yarn made of lamb's wool into any of the aboveſaid clothes, in pain to forfeit the ſame, or the value thereof.

CXL. None ſhall put any cloth or Kerſey to ſale before they have paid the Aulnager his due fee, in pain of 20 s.

CXLI. No cloth ſhall be tranſported before the ſeals of the Aulnager and owner be put thereunto, in pain to forfeit the ſame or the value thereof.

☞CXLII. No retailer of cloth ſhall put it to ſeal before he have tried it by water, meaſure and weight, and ſhall preſent the defect thereof to an Head-officer, or two next Juſtices of Peace, in pain to forfeit the double value thereof: And the cloth found defective ſhall be divided into three parts; whereof the King ſhall have one, the proſecutor another, and the Head-officer or two Juſtices the third.

CXLIII. The Clothier ſhall repay to the buyer of faulty cloth his money again, or otherwiſe ſatisfie him for the ſame, in pain to forfeit to the party grieved the double value thereof.

CXLIV. None ſhall ſtretch cloth above a yard in length and an half quarter in breadth, in pain of 5 l.

CXLV. None ſhall uſe with his tentor any wrinch, rope, ring, or other engine to ſtrain or ſtretch cloth in pain of 20 l.

CXLVI. Two or more ſearchers of cloth ſhall be appointed in every

every place where cloth is made, who being ſworne ſhall have power to enter into all houſes where cloth is made or wrought, to make ſearch whether the clothes are well dreſſed and preſſed with the cold preſs: and the moiety of all forfeitures thereupon accruing ſhall the King have, and the other ſhall be given to the uſe of the Commonalty or Town, where the offence or default is committed or made.

CXLVII. The party with whom ſuch defective cloth is found ſhall recover damages, againſt the party that was the cauſe thereof by Action of debt, &c.

CXLVIII. The Head-officer of every Town ſhall prepare a ſeal of lead having the Arms and name of the Town printed thereupon, which ſeal the ſearchers ſhall fix to every cloth well made, and ſhall have for every ſeal ſo fixed 2 d.

CXLIX. If the ſearchers finde any faulty coloured cloth, they ſhall at each end fix another ſeal of lead having the letter F. printed thereupon, and ſhall alſo in the liſt (juſt againſt the fault) ſet another mark of an inch compaſs, to the end the buyer may readily diſcover where the fault is.

CL. If the ſearchers ſet the Town ſeal to cloth, not ſufficiently dreſſed, the Corporations ſhall forfeit the value thereof.

CLI. If the Searchers ſet the Town-ſeal to faulty cloth, or do not ſet the letter F. above expreſſed thereunto, the Corporation ſhall forfeit 5 l.

CLII. No retailer of cloth ſhall put it to ſale, unleſs the ſaid Town-ſeal be fixed thereunto; and ſhall keep it fixed at one end thereof untill it be all ſold, in pain to forfeit the value of ſuch cloth.

CLIII. The Corporation that appoints not ſuch ſearchers ſhall forfeit 10 pounds, And the ſearcher that refuſeth to execute the Office ſhall forfeit 5 pounds, to be divided betwixt the King and the Corporation, and ſhall be in ward, until he pay or give ſecurity for it.

CLIV. None ſhall preſs any cloth with the hot preſs, nor in any other deceiveable manner, but only with the cold preſs, in pain to forfeit the ſame, or the value thereof.

CLV. If any (but perſons authorized by this Act) counterfeit, ſet to, or take away from any clothes any of the ſeals appointed by this Act, he ſhall forfeit for the firſt offence (being thereof convict by 12 men, two witneſſes, or his own confeſſion) 10 l. and for the ſecond ſhall ſtand upon the Pillory, and forfeit all his goods and chattels to the King.

CLVI. Every Article in any Statute heretofore made concerning

ing the making, dying, preſſing, ſearching or ſealing any of the clothes above in this Act mentioned, and being repugnant or contrariant to any Article of this Statute ſhall be void.

CLVII. The forfeitures aboveſaid (not otherwiſe appointed) ſhall be divided betwixt the King and the proſecutor.

CLVIII. Provided, it ſhall not be lawfull to boil wool (to be converted into cloth) with galls, rinds, bark or ſaw-duſt, in pain to forfeit the ſame or the value thereof, to be recovered and had, as aforeſaid.

CLIX. This Act ſhall not extend to *Devonſhire*-cloths called *Taveſtocks*.

CLX. **Stat.** 5 & 6 *E.* 6. 8. No perſon ſhall weave or make or put to weaving or making of broad woollen cloth, unleſs he hath been ſeven years Apprentice to that Art.

CLXI. **Stat.** 1 *M. Parl.* 2. 7. Any perſon may make broad cloth, and put them to weaving, walking, fulling, dying and ſhearing without any impediment, ſo that the cloth be duly made according to the Statute of 5 & 6 *E.* 6. 6. notwithſtanding the Statute of 5 & 6 *E.* 6. 8. or any other ſtatute of Cloth-making made to the contrary.

* CLXII. **Stat.** 2 & 3 *P. M.* 11. No Clothier in any corporation or Market town ſhall keep in his houſe above one loom or let any loom, or houſe and loom together, to make profit thereby in pain to forfeit for every week he ſo keepeth or letteth them 20 s.

CLXIII. No weaver in the ſaid places ſhall keep above two looms in his houſe to make profit thereof, in pain to forfeit for every week, he keeps more 20. s.

CLXIV. A Weaver (being no Cloth-maker) ſhall not keep any Tucking-mill, nor uſe the art of a Tucker, Fuller or dyer, in pain of 20 s. for every week.

CLXV. No Tucker or Fuller ſhall have in his houſe any loom to make profit thereof, in pain of 20 s. for every week.

CLXVI. None ſhall make any broad white woollen clothes but in a corporation, Market town, or other place where they have been made ten years before the making of this Act, in pain of 5 l. for every cloth otherwhere made.

CLXVII. No Weaver in a corporation or Market-Town ſhall have above two Apprentices at one time, in pain of 10 l.

CLXVIII. None ſhall be a weaver, but he who hath been ſeven years an Apprentice in that Art, in pain of 20 l.

CLXIX. This Act ſhall not extend to the Counties of *York*, *Cumberland*, *Northumberland* and *Weſtmereland*.

* CLXX.

CLXX. Stat. 2 & 3 P. M. 12. No clothes called *Bridgwater*, *Taunton* and *Chard* clothes, and made in the County of *Somerſet*, ſhall be ſold there, before they be viewed, ſearched and ſealed in *Bridgwater*, *Taunton* or *Chard*, according to the Statute of 5 & 6 E. 6. 6. in pain to forfeit the cloth ſo ſold, or the value thereof, to be divided betwixt the King and the proſecutor.

CLXXI. Stat. 4 & 5 P. M. 5. White *Worceſters* and all others of like making being well ſcoured, thicked, milled and fully dried, ſhall weigh 75 pounds.

CLXXII. White clothes made in the Counties of *Wilts*, *Gloceſter* and *Somerſet*, and all others of like making, ordered as aforeſaid, ſhall weigh 61 pounds.

CLXXIII. Broad clothes made in *Kent*, *Suſſex* and *Reading*, and all others of like making, ordered as aforeſaid, ſhall weigh 86 pounds.

CLXXIV. Courſe ſhort clothes made in *Suffolk*, *Norfolk*, *Kent*, and *Eſſex*, and others of like ſort, ſhall contain at the water 6 quarters and an half in breadth.

CLXXV. Handy-warpes, ordered as aforeſaid, ſhall contain the breadth ordained by the Statute of 5 & 6 E. 6. 6. and ſhall weigh two pounds and an half.

CLXXVI. None ſhall add handy-warpliſts to their clothes except in *Worceſter*, and when the warp thereof be ſpun upon the rock or diſtaff) in pain to forfeit the cloth, or the value thereof.

CLXXVII. None in the Weſt-riding of *Yorkſhire* ſhall make any broad clothes, Pewks, Tawnies, Violets or Greens, except the wool thereof, being firſt converted into yarn, be firſt dyed blue, of the value of two pence the pound, in pain to forfeit ſuch cloth, or the value thereof.

CLXXVIII. Ordinary Kerſeys ſhall contain in length (in the water) betwixt 16 and 17 yards (yard and inch) and being ordered, as aforeſaid, ſhall weigh 19 pounds the piece. And ſorting Kerſeys (ſo ordered) ſhall weigh 22 pounds.

CLXXIX. *Devonſhire* Kerſeys (ordered as aforeſaid) ſhall weigh after the rate of one pound the yard.

CLXXX. Welſh Cottons (in the water) ſhall contain 3 quarters of a yard in breadth, and ſhall weigh one pound and an half the goad, and being well cottoned ſhall weigh one pound at leaſt.

CLXXXI. No retailer of Cottons ſhall dreſs it himſelf, or by any other, ſave only by a proper dreſſer thereof, in pain to forfeit for every piece otherwiſe dreſſed 6 s. 8 d.

CLXXXII.

CLXXXII. *Manchester*, *Lancashire*, and *Cheshire* Cottons, and *Manchester* Rugs and Frizes may be divided into two half pieces, and shall contain in length and breadth, as by the said Statute of 5 and 6 *E.* 6. is ordained for the whole piece.

CLXXXIII. If any cloth or kersey exceed the length prescribed by this or the said Statute of *E.* 6. then every yard so exceeding shall weigh according to the rate of the due length thereof; in pain to forfeit for every yard not weighing after that rate 5 s. and if any such cloth or kersie lack any of the due length, the maker shall forfeit for every pound wanting more than 4 pounds, 5 s. and for every pound under 4 pounds, 2 s.

CLXXXIV. If any cloth or kersie prove defective in ill wrought, the maker thereof shall fix to each end thereof a seal of lead engraven with this word *Faulty*, in pain to forfeit such cloth and kersie, or the value thereof.

CLXXXV. If any by himself or any other counterfeit, set on or take away any seal appointed by this or the said Statute of [illegible] he shall incurr such penalties as by the said Statute of E. 6. [illegible] limited.

CLXXXVI. The Borough or Corporation-seal shall be set to clothes, *&c.* being well made there, which cloth so sealed shall not be afterwards searched by the searcher of any other Corporation or Borough.

CLXXXVII. Clothes and Kerseys made out of Corporation shall be sealed in the Town corporate.

CLXXXVIII. If any searcher or sealer set the Corporation-seal to any cloth, *&c.* defective in length, weight or breadth appointed by this, or that other Statute of *E.* 6. the Corporation shall forfeit the value thereof.

CLXXXIX. The searchers and sealers may in the day-time enter into any house to search and try cloth, *&c.* and may seise clothes made of other colours, then by the said Statute of *E.* 6. is appointed (Friers-gray, Crane-colour, Purple, and old Medley colours, used to be made 20 years last past, onely excepted.)

CXC. None shall deny or withstand the searcher or sealer, in pain of 10 pounds.

CXCI. No searcher or sealer shall in any Fair or Market search any cloth, *&c.* which hath a Corporation-seal affixed thereunto.

CXCII. Every clause in the said Statute of *E.* 6. not repugnant to this Act is confirmed.

CXCIII. None shall incur any penalty or forfeiture of any offence

ſence limited by that Act, which is mitigated or otherwiſe appointed by this.

CXCIV. Every Clothier ſhall cauſe the letter M. crowned to be wrought in each cloth, in pain to forfeit 20 s. for every cloth not ſo marked.

CXCV. None ſhall weave or make, or put to weaving or making any cloth or kerſie, unleſs he hath been an Apprentice to, or exerciſed that Art 7 years before, in pain to forfeit it or the value thereof.

CXCVI. The penalties and forfeitures of this and the ſaid Act of *E. 6.* (not otherwiſe appointed) ſhall be divided betwixt the King and the ſeizor (where ſeizure may be made) or otherwiſe betwixt the King and the proſecutor.

* CXCVII. **Stat.** 8 *El. 6.* For every nine clothes unwrought, tranſported by licence, one ſhall be carried over well wrought, in pain to forfeit for every 9 clothes otherwiſe tranſported 10 l. and the tenth cloth ſhall be none of the clothes licenced.

CXCVIII. No *Kentiſh* or *Suffolk* cloth ſhall be tranſported unwrought by any licence, in pain to forfeit for every cloth ſo tranſported 40 s. and no licence ſhall extend to any ſuch cloth.

CXCIX. The ſaid forfeitures ſhall be divided betwixt the King and the Maſter and Wardens of Clothworkers for the relief of the poor of that Company.

* CC. **Stat.** 8 *El.* 7. He that uſeth the trade of buying of Frizes, Cottons or Plains, ſhall not exerciſe the Art of Frizing, or Cottoning, in pain to forfeit for every piece ſo uſed 6 s. 8 d.

CCI. Thoſe that uſe the trade of buying Welſh cloth or linings ſhall pay to their workmen ready money, in pain to loſe their Freedome.

* CCII. **Stat.** 8 *El.* 12. None ſhall put to ſale in *Lancaſhire*, or carry out of that County any Cloth, Cotton, Frize, or Rug, made there before the maker ſhall have fixed his ſeal thereunto; and the Aulnager the Queens, whereof the makers ſhall have on the one ſide his mark, and on the other ſide the length of the piece, being wet; and the Queens ſhall have a Percullis crowned on the one ſide, and the weight of the piece on the other ſide, in pain to forfeit ſuch cloth, &c. to be divided betwixt the Queen and the proſecutor.

CCIII. In *Manchester*, *Rachdale*, *Bolton*, *Blackmore* and *Berry*, the Aulnager may appoint Deputies, and neither the Aulnager nor they ſhall ſeal any cloth, *&c.* before they be weighed, in pain to forfeit 20 s. for every pack, to be divided betwixt the Queen and the proſecutor.

CCIV.

CCIV. The Aulnagers fee for weighing of a packet of ſuch cloth, &c. is three pence and for any quantity leſs then a pack, an half penny the piece.

CCV. Every Cotton well wrought and fully dried ſhall weigh 21 pound; and ſhall contain in length 21 or 20 Goads, and in breadth 3 quarters, or within one nail thereof; alſo Frizes and Rugs being well thicked and dryed ſhall weigh 44 l. the piece, and ſhall contain in length betwixt 35 & 37 yards, and in breadth 3 quarters or within one nail thereof, and ſhall not be ſtrained upon tenters above one nail in breadth; and if the ſaid clothes exceed the ſaid length, every goad or yard ſo exceeding ſhall weigh according to the ſame rate in pain to forfeit for every goad or yard not ſo weighing 12 d.

CCVI. If any of the ſaid Cottons, Frizes, or Rugs want of the ſaid weights, the party ſelling them ſhall forfeit for every pound lacking under three pounds twelve pence, and for every pound above three pounds five ſhillings.

CCVII. All Acts heretofore made for the ſealing and making of Cottons, Frizes and Rugs ſhall be void.

CCVIII. The Charters and Liberties of Towns Corporate in *Lancaſhire* are ſaved.

☞CCIX. **Stat.** 23 *El.* 9. Two Juſtices of Peace of the County, or the Head-officer of a Corporation ſhall command Logwood (which ſome deceitfully uſe for dying of cloth) to be ſeiſed and openly burnt, and the Dyer that uſeth it ſhall forfeit the value of the cloth, wool, or other thing dyed therewith, to be divided betwixt the Queen and the proſecutor.

CCX. Nothing of the nature of cloth ſhall be maddered for a black, except it be firſt grounded with woad onely, or with woad and a nele, *alias* blue *Inde*, unleſs the madder be put in with ſtomack or galls; and who ſo doth otherwiſe ſhall forfeit the value of the thing ſo dyed, to be divided betwixt the Queen and the proſecutor, and the offendor is to be impriſoned, untill he pay it.

CCXI. Provided, it ſhall be lawfull to dye all manner of gall black, ſtomack black, *alias* plain black, wherein no madder ſhall be uſed.

CCXII. The Dyer ſhall fix a ſeal of lead to the cloth, &c. which he dyeth, with the letter M. to ſhew that it is maddered, and woaded, in pain to forfeit for every yard thereof 3 s. 4 d. and the ſeller thereof ſhall make it known, that it is not woaded, in pain to forfeit the double value thereof, to be divided betwixt the Queen and the Proſecutor.

CCXIII. **Stat.** 27 *El.* 17. None ſhall be hereafter charged by the

the Statute of 5 & 6 *E.* 6. 6. nor of 4 and 5 *P. M.* for want of the breadth of ſeven quarters in clothes made in the Counties of *Glocester*, *Wilts*, *Somerſet* or *Oxon*, or others of like ſort, ſo that they contain in breadth (being fully wet) 6 quarters and an half within the liſts unwrought and liſted: but in caſe they want that breadth, the makers thereof ſhall be chargeable with the penalties impoſed by thoſe Statutes for want of 7 quarters breadth.

CCXIV. If narrow-liſted whites do not weigh 61 pounds, and broad-liſted whites 63 pounds, being well dreſſed and dryed, the clothier ſhall incur double ſuch penalties for every pound wanting, as by the ſaid Statute of 4 & 5 *P. M.* are ordained.

CCXV. **Stat.** 27 *El.* 18. The branch of the Statute of 5 & 6 *E.* 6. 6. which prohibiteth putting of hair, flocks, or yarn made of lambs wooll into any cloth or frize, having regard unto the ſaid clothes called plain white ſtraits, and pinned white ſtraits, ſhall be repealed.

CCXVI. The Inhabitants of *Devon* and *Cornwall* may weave and make the ſaid clothes, and uſe therein hair, flocks, and lambs wooll, and keep three loomes in their houſes, and make ſuch clothes of ſuch length, breadth and weight, as the Merchant ſhall like, notwithſtanding the ſaid Statute of *E.* 6.

CCXVII. Provided, that no piece of ſuch cloth ſhall weigh above 12 pounds, nor be above 14 yards long, or one yard broad, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Proſecutor.

CCXVIII. **Stat.** 35 *El.* 9. None ſhall be hereafter charged by the Statute of 5 & 6 *E.* 6. 6. for want of the breadth of ſeven quarters in broad Plunkets, Azures, Blues, and other coloured clothes made in the County of *Wilts*, *Glocester*, and *Somerſet*, or elſewhere; ſo that (being fully wet) they hold five quarters and an half within the liſts unwrought and liſted: but in caſe they want that breadth, the makers thereof ſhall incur ſuch penalties, as by the ſaid Statute of *E.* 6. are appointed for want of ſeven quarters breadth.

CCXIX. Howbeit, if the ſaid clothes well dreſſed and dried do not weigh 68 pounds, the Clothier offending therein ſhall incur the double penalties of the Statute of 6 *E.* 6. for want of weight.

*CCXX. **Stat.** 35 *El.* 10. Every piece of *Devonſhire* Kerſie or Dozen (as it comes from the Weavers loom) ſhall weigh in the open market 16 pounds and upwards; and every piece of Rug, and *Welſh* Kerſie made of wooll (as it comes from the Sheeps back, and from the Weavers loom) ſhall weigh 17 pounds at leaſt, and ſhall contain in length betwixt 15 and 16 yards (yard and inch of the Rule.)

CCXXI.

CCXXI. The Weaver that weaves or makes any of the ſaid clothes of leſs weight or length, ſhall forfeit for every quarter of a pound or quarter of a yard wanting 12 pence. And they ſhall be ſewantly woven throughout of well and like ſorted yarn, except the liſts.

CCXXII. The weaver ſhall weave in his mark at one end of the Kerſey of ſome coloured yarn, and alſo at each end purrel, and ſhall not deceitfully mingle his yarn in pain of 10 s.

CCXXIII. None ſhall put to ſale any ſuch raw Kerſies, before they be viewed, weighed and marked, in pain of 10 s. for every cloth, to be divided betwixt the King and the Head-officer where the offence is committed.

CCXXIV. Searchers and Sealers of ſuch Kerſies ſhall be yearly appointed by the Head-officer of the place where they are made, who ſhall be ſworn, and have power to enter into any houſe (in the day-time) to make ſearch accordingly, and ſhall have a farthing for every Kerſie they mark.

CCXXV. If the ſearchers and ſealers be not yearly appointed, or do neglect their duties, or offend in their office, the head-officer ſhall forfeit for every ſuch offence 20 s. and for every market day there are not two or one ſearcher at leaſt 40 s.

CCXXVI. No Kerſie ſhall be ſold or dreſſed, before it be tried and marked, in pain to forfeit the ſame.

CCXXVII. None ſhall diminiſh the length of any ſuch Kerſie, in pain of twenty ſhillings.

CCXXVIII. The forfeitures aforeſaid (not before limited) ſhall be divided betwixt the King and the proſecutor.

☞ CCXXIX. **Stat.** 39 *El.* 11. A Juſtice of Peace of the County or Head-officer of a Corporation (being alſo a Juſtice of Peace there) have power to call before them and examine the ſervants of perſons ſuſpected to uſe Log-wood in Dying, and (if they ſhall find cauſe) to bind over to the next quarter-ſeſſions both the evidence and party offending, and upon the Delinquents refuſal to be bound, ſhall commit him to priſon till he find ſureties: they ſhall alſo certifie in at the ſame ſeſſion the examinations by them taken, where, if the party offending be convicted, he ſhall ſuffer the pillory and forfeit 20 l. to be divided betwixt the Queen and the proſecutor.

* CCXXX. **Stat.** 39 *El.* 14. No cards for Wooll ſhall be brought into this Realm, or *Wales*, to be ſold in pain to forfeit them, or the value thereof, to be divided betwixt the Queen and the proſecutor.

CCXXXI. **Stat.** 39 *El.* 20. None ſhall ſtretch or ſtrain any clothes

clothes made on the North-ſide of Trent in pain of 5 l. nor uſe any engine to that purpoſe, in pain of 20 l.

CCXXXII. Northern clothes ſhall be made of ſuch weight, length breadth, as by former Statutes are provided, upon the pains in the ſame Statutes contained.

CCXXXIII. A Seal of Lead ſhall be ſet to every Northern cloath, expreſſing the length and weight thereof, in pain to forfeit the ſame: And here the offendors ſhall alſo forfeit for every yard, that it wants of due length 4 s. And for every pound that it wants of due weight 2 s.

CCXXXIV. Overſeers ſhall be appointed and ſworn in the county by two Juſtices of peace, and in corporations by the head-officer, calling to him the next Juſtice of Peace to make ſearch once a moneth at leaſt for defects in Northern clothes, and if they ſhall find any ſtretched, ſtrained or ſealed with any falſe ſeale they ſhall make preſentment thereof at the next quarter ſeſſions, and here he that deceives or with-holds any faulty clothes, ſhall for the firſt offence forfeit 10 l. for the ſecond 20 l. and for the third (being thereof lawfully convicted by verdict or two witneſſes) ſhall ſuffer the Pillory.

CCXXXV. The Overſeer, that refuſeth to appear, or to undertake that Office, ſhall forfeit 5 l. to be divided betwixt the Queen and the Officers, that made him Overſeer.

CCXXXVI. The Overſeers ſhall fix a ſeal of lead to ſuch clothes expreſſing the length and breadth of the ſame together with the word *ſearched*, which ſhall exempt them to be ſearched elſewhere.

CCXXXVII. If any (ſave the Overſeers) ſet or take away a Seal to or from the ſaid clothes without warrant, they ſhall forfeit to the Queen for the firſt offence 10 l. And for the ſecond (being thereof lawfully convicted by verdict or two witneſſes) 20 l. And beſides ſuffer the Pillory.

☞ CCXXXVIII. Juſtices of Peace, Head-conſtables and overſeers ſtall ſearch and ſeize ropes, winches, and other engines uſed for the unlawfull ſtretching of Northern clothes, and none ſhal withſtand them upon the forfeitures above mentioned for reſiſting the Overſeers.

CCXXXIX. The Juſtice, that ſhall be found negligent in the due execution of this Act ſhall forfeit 5 *l.* And this and all other forfeitures of this Act ſhall be divided into three parts, whereof the Queen is to have one, the Informer another, and the poor of the place where the offence is committed, the third. ſee the clauſes following.

CCXL. Juſtices of Peace have power to heat and determine theſe offences in their Seſſions, and Juſtices of Aſſizes to convict the Juſtices of Peace that are negligent, upon proof of two witneſſes, But upon neglect of juſtice by the ſaid Juſtices of Peace and Juſtices of Aſſizes the aboveſaid penalties are recoverable in any other court of Juſtice, and in that caſe the one half thereof ſhall go to the Queen, and the other to the informer.

CCXLI. The owner of Northern clothes brought up to be ſold in *London* ſhall cauſe them to be brought to *Black-well-hall* to be ſearched drie without wetting, in pain of 40 s. But here the ſearcher ſhall not make his ſearch at ſuch times, when it may be a hindrance to the owners market, in pain of 5 l. Theſe penalties are likewiſe given to the Queen and the informer.

* CCXLII. **Stat. 43 El. 10.** None ſhall put any hair, ſtocks, thrum, yarn made of Lambs wool, or any other deceiveable thing in Broad cloth, Kerſy, Frize, Dozen, Penyſtone, Cotton, *Taunton* cloth, *Bridgewater*, or *Dunſter* Cotton (which *Dunſter* Cotton ſhall be taken to be of the like weight, length and breadth as *Taunton* and *Bridgewater* cloth, in pain to forfeit ſuch cloth, kerſie, &c.) and none ſhall buy or procure any ſuch deceiveable thing for that intent, in pain to forfeit the ſame.

CCXLIII. None ſhall uſe any Engine to ſtretch the ſaid cloths or Rugs unwrought in length or bredth in pain of 20 l. to be divided betwene the Queen and the proſecutor.

CCXLIV. None ſhall ſet any wrought woollen cloth upon any tentor, or other Engine to ſtretch the ſame otherwiſe then as followeth, *viz.* the whole broad cloth one yard in length, and one half quarter in breadth, & the Kerſie, Cotton, &c. one half yard in length and one nail in breadth, in pain to forfeit ſuch cloth, Kerſie &c.

CCXLV. Woollen cloths ſhall not exceed the lengths appointed by former Statutes, in pain to forfeit the ſame; ſaving that *Taunton*, *Bridgwater* clothes, and others of like making may weigh onely 30 pounds, & *Suffolk*, *Norfolk*, *Eſſex*, & Northern clothes ſhall be abated 4 pounds in the whole cloth, & 2 pounds in the half cloth.

CCXLVI. If any whole cloth want above three pounds of the weight limited by the ſaid Statutes, or a half cloth half ſo much, for every pound ſo wanting he ſhall forfeit 10 s. for 2 pounds 20 s. for three pounds 40 s. and ſo to forfeit a double penalty for every pound ſo wanting, unleſs he will yield the ſaid cloth, and then it ſhall be forfeited.

CCXLVII. The Statute of 39. *El.* 20. which gives power to Juſtices of Aſſize, Juſtices of peace and Head officers for Northern clothes ſhal extend alſo to clothes made in other Countreys.

CCLXVIII.

CCXLVIII. Cloth ſealed by the overſeers(authorized by 39 *El.* 20.)ſhall not be ſearched or tryed again by any other officer.

CCXLIX. The ſeveral branches of 5 & 6 *E* 6. 6. & 5 P. M. 5. 27 *El* 17. & 35. *El.* 9. which concerne over lengths of clothes, and the clauſe of the ſaid Statute of 4 and 5 P. M. 5. which concern certificates of faulty clothes are repealed.

CCL. No Merchant ſhall take advantage of a clothier for any defect in cloth.

CCLI. All Acts heretofore made contrariant to this are repealed.

CCLII. Such as obſerve this Act, albeit they offend contrary to 39 *El* 20. ſhall not incur any penalty inflicted by 39. *El.* 20.

CCLIII. The moiety of all forfeitures (not otherwiſe hereby appointed) the overſeers or finder ſhall have, and the poor the other,

CCLIV. If any unwrought woollen cloth(after it is tranſported) ſhall be found ſtretched contrary to this Act, the Merchant may return it at his own coſts, and ſhall recover damages againſt the maker or ſeller thereof.

CCLV. **Stat.** 1 *Jac.* 25. None ſhall incur any penalty for want of length, breadth, or weight of Welſh cottens, under the price of 15 d. the yard, and 2 s. the goad, ſo as they be not mixed with deceitful ſtuff, nor for any other above that price, except they be mixed as aforeſaid, or ſhall ſhrink above the rate of half a yard in 12 yards, or weigh leſs then 14 ounces the yard, or hold not full three quarters of a yard broad.

CCLVI. **Stat.** 3 *Jac.* 16. Ordinary Kerſeys ſhall not exceed 24 yards in length, and (being fully dreſſed and dried) ſhall weigh 28 pounds and an half: And ſorting Kerſeys ſhall have the ſame lengths and ſhall weigh 32 pounds and an half.

CCLVII. If any piece of Kerſey of the ſaid ſeveral kinds, exceed thoſe lengths, or want of thoſe weights reſpectively, the maker ſhal forfeit for every yard ſo exceeding 5 s. and for every pound ſo wanting 2 s. to be divided betwixt the King and the proſecutor.

CCLVIII. The cuſtom and ſubſidy of Kerſeys 24 yards long ſhal be as much as was paid before for a piece of 18 yards and a third part of ſuch a piece.

CCXLI. **Stat.** 3 *Jac.* 17. None ſhall incur any penalty for want of fixing a content ſeal to Welſh cottons, neither ſhall any (ſave the buyer) ſearch or try them, in pain of 5 *l.* to be divided betwixt the party grieved.

CCLX. **Stat.** 4 *Jac.* 2. Every coloured broad cloth made in

Kent, *Yorkſhire*, *Reading*, and elſewhere (of like making) being thorow wet, ſhall contain in length between 30 and 34 yards (yard and inch) Standard-meaſure; and ſix quarters and an half throughout within the liſts, and being well ordered and dried ſhall weigh 86 pounds.

CCLXI. The length of white *worſters*, (being wet) ſhall be between 30 and 33 yards, their breadth 7 quarters, and their weight 78 pounds.

CCXLII. The length of Plunkers, Azures, Blues, and long Whites (being wet) ſhall be between 29 and 32 yards, their breadth ſix quarters and an half, and their weight 80 pounds.

CCLXIII. Sorting clothes ſhall contain in length betwixt 23 and 26 yards, be 6 quarters broad, and weigh 64 pounds.

CCLXIV. Fine ſhort *Suffolks* ſhall contain in length between 23 and 26 yards, be ſix quarters and an half broad, and weigh 60 pounds,

CCLXV. Handywarps ſhall contain in length betweene 29 and 32 yards, be 7 quarters broad, and weigh 76 pounds.

CCLXVI. Broad Plunkets and other coloured clothes made in the counties of *Wilts* and *Somerſet*, or elſewhere of like making ſhall be betwixt 26 and 28 yards long, ſix quatters and an half broad, and weigh 68 pounds.

CCLXVII. Short coloured clothes made in *Yorkſhire*, or elſewhere of like making ſhall be betweene 23 and 25 yards long, ſix quarters and an half broad, and weigh 66 pounds. And every half cloth or *Dozen* ſhall be made according to the ſame rate.

CCLXVIII. Broad liſted whites and reds ſhall contain between 26 and 28 yards in length, be ſix quarters and an half broad; and weigh 64 pounds.

CCLXIX. Narrow liſted whites and reds ſhall contain in length betwixt 26 and 28 yards, be ſix quarters and an half broad, and (being white) ſhall weigh 61 pounds. but red 60 pounds.

CCLXX. Fine clothes with plain clothes ſhall contain in length betweene 29 and 32 yards, be ſix quarters and an half broad, and weigh 72 pounds.

CCLXXI. Clothes having ſtop liſts ſhall contain in length betweene 30 and 33 yards, be ſeven quarters broad, and weigh 78 pounds.

CCLXXII. *Tauntons*, *Bridgewaters*, *Dunſtars*, &c. ſhall contain in length betweene 12 and 13 yards, be ſeven quarters broad, and weigh 30 pounds: and every narrow cloth of like making ſhall be betweene 24 and 25 yards long, one yard broad, and weigh 30 pounds: and the half cloth of that kind ſhall contain the ſame

breadth

breadth, and the length and weight ratably. And as touching ſuch broad and narrow clothes, as are made in *Yorkſhire* into whites and reds, the broad clothes there ſhall keep the ſame meaſures and weight; but the narrow is to contain in length betweene 17 and 18 yards, in weight proportionable as aforeſaid.

CCLXXIII. *Devonſhire* Kerſeys or Dozens ſhall contain in length betweene 12 and 13 yards, and ſhall weigh 13 pounds. And *Check* Kerſeys, Streats, and plain Greys ſhall contain in length between 17 and 18 yards, be one yard broad, and weigh 24 pounds.

CCLXXIV. Ordinary Penyſtones and Foreſt whites ſhall contain in length between 12 and 13 yards, be five quarters and an half broad, and weigh 28 pounds: and ſorting Penniſtones ſhall be between 13 and 14 yards long, ſix quarters and an half broad, and weigh 35 pounds.

CCLXXV. All *Cogware*, *Kendal*, and *Carptmeals*, ſhall be made to pleaſe the buyer, and ſhall not be ſearched, ſealed, or ſubject to other penalty, then ſuch as was impoſed thereon before 39 *El.* ſo as they ſhrink not above one yard in twenty.

CCLXXVI, Kerſeys called Waſhers and Waſh whites, (being half thicked) ſhall contain in length between 17 and 18 yards, or (quarter thicked) betweene 18 and 19, and ſhall weigh 17 pounds.

CCLXXVII. None ſhall raiſe or row woollen cloth with Oyl, greaſe, or the like, or uſe the ſame, but upon the edge of the ſheers onely, in pain of 13 s. 4 d. and it ſhall be wrought all alike thorow-out, upon the like pain; and the wooll thereof taken away onely by the ſheers, upon the ſame pain.

CCLXXVIII. None ſhall blow, ſpout or bedew woollen cloth neer the liſts thereof with water or otherwiſe, in pain of 13 s. 4 d. and if it be done, to increaſe the weight, the penalty is 40 s.

CCLXXIX. Abatement ſhall be made for the dying, dreſſing, ſhearing, and rowing of cloth, *viz.* for ſhort clothes 4 pounds, and long clothes. 5 pounds, and according to that rate.

CCLXXX. Flannel, Wadnals, Coverlets, and Blankets may be made as formerly they have been; notwithſtanding this Statute.

CCLXXXI. None ſhall exceed the lengths aforeſaid, in pain to forfeit for every yard and inche ſo exceeding 10 s.

CCLXXXII. If any ſell woollen cloth wanting the weight aboveſaid, he ſhall forfeit for every two pounds ſo wanting 10 s.

CCLXXXIII. If any cloth want the juſt breadth, the ſeller thereof ſhall forfeit for ſuch want through the whole piece 20 s. the half piece 10 s. and for any leſs part 5 s.

CCLXXXIV. If a cloth be of leſs length then the ſeal thereof doth purport, the ſeller ſhall forfeit to the buyer 6 s. 8 d. for every yard and inch that ſo wants, beſides the value of ſo much as ſo falls ſhort.

CCLXXXV. Every branch in any former Statute whereby any other length, breadth, or weight of the ſaid clothes, or any other penalty concerning the ſame, or any offence (intended by this act to be reformed is limited, or whereby any penalty for the offence (in this Act mentioned) is given to any other perſon, then in and by this Statute is limited, ſhall be repealed.

CCLXXXVI. Cloth ſealed by the Overſeers appointed by the Statutes of 19 *El.* 20. and 43 *El.* 10. ſhall not be ſearched, tried, or watered again, but onely by the buyer thereof.

CCLXXXVII. The penalties for over-length or want of weight found by the Overſeers, ſhall be divided betwixt the King and them, but if ſuch default ſhall be found by the buyer, and not found and certified by the Overſeers, then ſhall ſuch penalties be divided betwixt the King and ſuch buyer.

CCLXXXVIII. If any broad woollen cloth be longer or ſhorter then 24 yards and inches, the duties for the ſame ſhall be proportionable, according to the length.

CCLXXXIX. Every clothier may make any kind of woollen cloth in what place he pleaſeth.

CCXC. The Kings duties are reſerved, as alſo the Aulnagers office and fees; ſo as cloath once lawfully ſearched and ſealed, ſhall not be ſearched and ſealed again.

*CCXCI. **Stat.** 7 *Jac.* 7. The ſorter, carder, kember, ſpinſter, or weaver of wooll, or yarn, that ſhall be found (by his own confeſſion, or the teſtimony of one witneſs) to imbeſil or detain any part thereof from the true owner, ſhall incur whipping and the ſtocks to be inflicted upon them (in the countrey) by any two Juſtices of Peace, and (in a corporation) by the Head-Officer, and another joyned with him; ☞ and here alſo the receiver thereof ſhall incur the like puniſhment, as alſo thoſe in *Eſſex*, which uſe a Reel leſs then two yards about.

CCXCII. But ſuch imbeziler may redeem his puniſhment by giving ſuch ſatisfaction to the owner, as ſuch Juſtice or Head-officer ſhall think fit.

CCXIII. **Stat.** 7 *Jac.* 16. certain courſe clothes made in the North ſhall not be ſearched or ſealed, nor any cuſtom or Aulnage paid for them.

CCXLIV. **Stat.** 21 *Jac.* 18, The Statute of 4 *Jac.* 2. is continued, ſave what is thereof altered, repealed, diſcontinued, or inlarged by this.

*CCXLV.

CCXCV. None ſhall put any flocks, thrums, hair, or other deceitful ſtuff into broad woollen cloth, in pain of 5 l. to be diſtributed to the poor, where ſuch deceitful cloth is made.

CCXCVI. The ſearchers or overſeers of cloth may enter into and make ſearch in any houſe or other place to find deceitful cloth.

CCXCVII. Any two Juſtices of Peace may call before them any perſon ſuſpected for making deceitful cloth, and if upon confeſſion of the party, or teſtimony of two witneſſes, they ſhall find any guilty thereof, and make certificate accordingly under their hands and ſeals to the Churchwardens and Overſeers of the poor of the Pariſh, where the offence is committed, thoſe Officers ſhall levy the penalties forfeited, by diſtreſs and ſale of goods, and for want of diſtreſs the offender ſhall ſuffer impriſonment.

CCXCVIII. The Officer being ſued ſhall be allowed to plead the general iſſue, &c, and ſhall recover double coſts.

CCXCIX. If cloth be defective, the ſearchers of the Pariſh where it is made, ſhall certifie it by their ſeal, having the word *Faulty* ſtamped upon it: And the ſearcher that ſearcheth cloth already ſearched ſhall forfeit 5 l. to the party grieved.

CCC. All woollen clothes ſhall be ſearched and ſealed before they be ſold.

CCCI. No tentor for broad clothes made in *Yorkſhire* ſhall have any further place or liberty under bar, then half a quarter of a yard: and the Overſeers in thoſe parts ſhall upon the penalties of their recognizances make due ſearch, for deceitful tentors; and, if any be found, ſhall deface them.

CCCII. He that offends the ſecond time in having ſuch a tentor, ſhall forfeit 45 s. to the poor.

CCCIII. Every Overſeer of cloth ſhall (upon the like penalty of this recognizance) ſet his name upon the ſeal of cloth, and clothes otherwiſe ſealed ſhall not be allowed as ſufficiently ſealed.

CCCIV. Preſſing of clothes between hot planks, or by any heat of fire, or other deceitful means, ſhall be puniſhed by like forfeitures, as preſſing with the hot Preſs is puniſhable by any former Statute.

CCCV. A third part of all penalties limited by this and former Statutes for want of length, breadth and weight, the Searchers that find and certifie ſuch defaults, ſhall have, and the reſt ſhall be delivered to the Churchwardens and Overſeers for the uſe of the poor, for which they ſhall be accountable, as by the Statute of 43 *E.* 1. is provided.

CCCVI. Stat. 14 *Car.* 2. *cap.* 5. Twelve Wardens and 30 Aſſiſtants, maſter Weavers to be elected yearly, to conſult about the regulation and making orders and By-lawes, for the making of ſtuffs in *Norfolk* and *Norwich*.

CCCVII. Stat. 14 *Car.* 2. *cap.* 32. An Act for the better regulating the manufacture of broad woollen cloth, and a Corporation made for that purpoſe within the Weſt-riding of the County of *York*, to continue till the end of the firſt ſeſſion of the next Parliament and no longer.

Dureſs.

I. Stat. 1. *R.* 2. 13. All obligations forced by Dureſs, upon Eccleſiaſtical Judges and others, whereby they are reſtrained from ſuing for tithes and other duties in the Eccleſiaſtical Court, ſhall be void.

II. Such as falſly procure ſuch Judges or others to be indicted ſhall incur ſuch puniſhment, as by *Weſt.* 2. 12. is ordained for falſe appeals, *which ſee in* Appeals.

Durham.

I. Stat. 7 *E.* 6. *not printed.* By this Act the Biſhoprick of *Durham* was diſſolved, and the King was to have all the lands and hereditaments thereof; and another Act was alſo made the ſame year *Cap.* 10. whereby the Town of *Gateſide* was united to the Town of *Newcaſtle*: but both theſe Acts are repealed by 1 *M. Parl.* 13. And by this Act the Biſhoprick of *Durham* is revived and erected, and thereby are annexed unto the County Palatine all the juriſdictions both Eccleſiaſtical and temporal, as alſo the Town of *Gateſide*, and all lands and hereditaments before belonging to the ſaid Biſhoprick; and divers other proviſions are therein contained concerning thoſe matters: *For which ſee the Statute at Large.*

II. Stat. 5 *Eliz.* 27. Fines levied before the Juſtices of the County Palatine of *Durham* (or one of them) of lands lying in the ſame County, ſhall be good.

III. Stat. 31 *El.* 9. Writs upon Proclamations and exigents againſt any perſon dwelling within the County Palatine of *Durham*, ſhall be directed to the Biſhop of *Durham*, *&c.* with divers other proviſions for that County Palatine: *For which ſee the Statute at large.*

Eccle-

Eccleſiaſtical Juriſdiction.

* I. Stat. 37 H. 8. 19. Doctors of the Civil Law, (albeit they be Lay-men, or married, and unmarried) may exerciſe Eccleſiaſtical juriſdiction.

☞ Egyptians.

* I. Stat. 22 H. 6. 10. If any calling themſelves Egyptians, do come into this Realm, they ſhall forfeit all their goods, and being commanded, ſhall depart the Realm within 15 days upon pain of Impriſonment: *But ſee here in the Statutes following a greater penalty ordained.*

* II. Stat. 1. 2 P. & M. 4. None ſhall tranſport any lewd people, who call themſelves Egyptians into this Realm or *Wales*, in pain of 40 l. And it ſhall be felony (without Clergy) for them to remain above a moneth in *England* or *Wales*; neither ſhall they be tried *per medietatem linguæ*, but by the Inhabitants of the County or place where they are taken.

III. None ſhall ſue for any licence or paſport for any Egyptians to ſtay in *England* or *Wales*, in pain of 40 l. and ſuch licence or paſport ſhall be void.

IV. The forfeitures aforeſaid ſhall be divided betwixt the King and Queen's Majeſties, and the Proſecutor.

V. This Act ſhall not extend to charge perſons, not above the age of 13 years, nor as acceſſary to any offence contained in this Statute.

VI. Stat. 5 El. 20. Any perſon whatſoever, conſorting with Egyptians by the ſpace of a moneth, ſhall be judged a felon without Clergy.

VII, This Act ſhall not include children within 14 years of age, neither ſhall any perſon born in *England* or *Wales*, be compellable to void the land by the Statute of 1. 2 P. M. but onely to leave their lewd courſe of life.

Election.

I. Weſt. 1. *cap.* 5. 3 E. 1. None ſhall diſturb any (by force of Arms, Malice, or Menaces) to make free Election, in pain of great forfeiture.

II. Artic. Cleri. *cap.* 14. 9 E. 2. There ſhall be free Election for the dignities of the Church.

* III.

*III. Stat. 31 El. c. If any perſon or perſons having election or voice in the nomination or choice of any perſon to have place in any Church, Colledge, School, Hoſpital, Hall, or other Society, ſhall take any reward directly or indirectly, or any promiſe or aſſurance thereof directly or indirectly for ſuch their election or voice, that then ſuch place ſhall be void; and that then ſuch perſon as hath power to diſpoſe thereof may diſpoſe of the ſame, as if the perſon before elected or appointed were actually dead.

IV. If any perſon of ſuch ſocieties take any reward or aſſurance thereof directly or indirectly for reſigning ſuch place, the party giving it ſhall forfeit the double value thereof, and the party taking it ſhall be uncapable of ſuch place; and then alſo the party to whom ſuch place appertains may diſpoſe thereof as aforeſaid.

V. At every Election this Statute, and the Statutes of the Society, which concern Election, ſhall be read.

VI. The forfeitures of this Statute ſhall be divided betwixt the Queen and the Proſecutor.

VII. If any perſon for any reward or aſſurance thereof directly or indirectly taken, do preſent or collate any perſon to any Benefice with cure of ſouls, Dignity, Prebend, or living Eccleſiaſtical, or give or beſtow the ſame for any corrupt conſideration, every ſuch preſentation, collation, gift, &c. beſtowing, and every admiſſion, inſtitution, inveſtiture, and induction thereupon ſhall be void; and from thenceforth the Queen, her heirs and ſucceſſors may preſent or collate thereunto, or give or beſtow the ſame for one turn onely.

VIII. None ſhall give or take ſuch reward or take or make ſuch aſſurance in pain to forfeit the double value of one years profit of ſuch ſpiritual promotion, and the perſon taking ſuch promotion ſhall be diſabled in Law to enjoy the ſame.

IX. If any perſon for any ſuch reward or aſſurance thereof (lawful fees excepted) admit, inſtitute, inſtal, induct, inveſt, or place any perſon in any ſuch ſpiritual promotion, the party ſo offending ſhall forfeit the double value of one years profit of ſuch promotion, and the admiſſion, inſtitution, &c. ſhall be void; and then the Patron or other perſon unto whom the next gift appertains, may preſent or collate thereunto.

X. Howbeit no lapſe ſhall accrue upon ſuch violence, until ſix moneths after notice thereof given by the Ordinary to the Patron.

XI. If any Incumbent of any Benefice with cure of ſouls ſhall corruptely reſign or exchange the ſame, or ſhall corruptly take for reſigning or exchanging thereof directly or indirectly any benefit what-

whatſoever; both the giver and taker thereof ſhall loſe the double value of the benefit ſo had, to be divided betwixt the Queen and the Proſecutor.

XII. Penalties inflicted by the Eccleſiaſtical law are not taken away by this Statute.

XIII. If any perſon ſhall directly or indirectly take any reward or other profit or aſſurance of the ſame (lawful fees onely excepted) to make a Miniſter, or to give licenſe to preach, he ſhall forfeit 40 l. and the party ſo made Miniſter or licenſed to preach 10 l. and if the party ſo made Miniſter or licenſed, be inducted, inveſted or inſtalled into any benefice within ſeven years after, ſuch induction, &c. ſhall be void, and the party having the gift thereof may preſent or collate, as if he were dead.

XIV. The forfeitures of this Act ſhall be divided betwixt the Queen and the proſecutor.

Engliſh-men.

I. Stat. 14 & 15 *H.* 8. 4. All Engliſh-men ſworn ſubjects to any forein Prince ſhall pay ſuch impoſitions as Aliens do.

II. Their names ſhall be certified into the Chancery from *Holland*, *Zeland*, *Brabant* and *Flanders*, by the Governour of the Merchant-Adventurers there, and from other parts by the King's Embaſſadours reſiding in thoſe parts.

III. An Engliſh-man returning and dwelling again within this Realm ſhall be reſtored to his liberties.

England and Scotland.

I. Stat. 1 *Jac.* 2. An authority is given to certain Commiſſioners of both Houſes of Parliament (named in this Statute) to treat with certain Commiſſioners of *Scotland* concerning the ſettlement of an union and peace between the Kingdoms of *England* and *Scotland*.

II. Stat. 4 *Jac.* 1. Laws of hoſtility and the dependancies thereof between the two Nations are repealed, but this Act in that point is not to take effect, until the like be acted in *Scotland*.

III. None ſhall be troubled for any wrong done before the death of Queen *Eliz.* by the laws of the Borders.

IV. Felonies committed by Engliſh-men in *Scotland*, ſhall be tried in *Cumberland*, *Weſtmerland* or *Northumberland* before Commiſſioners and Jurors of *England*; and here the felon ſhall be admitted to have his witneſſes examined upon oath, and the proſecu-

tor

tor and his witneſſes ſhall by any Juſtice of Peace of any of theſe Counties be bound by recognizance to proſecute and give evidence, the proſecutor firſt tendring ſuch witneſſes their reaſonable charges.

V. Here alſo the acceſſary ſhall be ſo tried, albeit the principal be not convicted or attainted, and neither principal nor acceſſary ſhall be allowed Clergy, or peremptory challenge above five, and the Indictment ſhall be good notwithſtanding the words, *Contra pacem, Coronam, & dignitatem noſtras*, be omitted.

VI. No Sheriff or other Miniſter ſhall return any Juror upon ſuch trial, but ſuch as have freehold worth 5 l. *per annum* in the County where the trial is had, in pain of 40 l. for every Juror otherwiſe returned, to be divided betwixt the King and him that will ſue for it.

VII. Here the offender ſhall not forfeit any lands, nor have his bloud corrupted, neither ſhall his wife loſe her dower, but he ſhall forfeit all his goods, chattels and credits.

VIII. The like Act being intended to be made in *Scotland*, when the like offence is committed in *England* by a Scotch-man, afterwards fled into *Scotland*, Juſtices of Oyer and Terminer, Goal-delivery and Peace of *England* have power to binde over by recognizance both the proſecutor and witneſſes, they being tendred their charges, as before, to appear in *Scotland* upon the trial, which recognizance (upon failer) being certified into the Exchequer-chamber, ſhall by decree there be made a debt or to the King.

IX. Scotch-men coming into *England* to proſecute or give evidence againſt an Offender in *Scotland* ſhall be free from arreſts for any offence or cauſe whatſoever, except treaſon and murther, ſo long as they are in England for that purpoſe.

X. The offence ſhall be alledged in the indictment to be done in the place where indeed it was done.

XI. He that is once tried in *Scotland* ſhall not be again called in queſtion for the ſame offence, but his former trial ſhall be a good plea for him, unleſs by certificate from *Scotland* ſome other cauſe may be diſcovered.

XII. No Engliſh-man ſhall be ſent out of *England* to be tried in *Scotland*. *But this is altered by the Statute following.*

XIII. The Jurors, or the greater part of them may allow or reject any of the witneſſes of either party, as they ſhall in their diſcretions finde cauſe.

XIV. Here the trial of a Peer ſhall be by his Peers.

XV. **Stat.** 7 *Jac.* 1. If an Engliſh-man ſhall commit felony in *Scotland*, and then fly into *England*, the Juſtices of Aſſize, or one of

of them, the Juſtices of Gaol-delivery in their Gaol-delivery, or four of them, or the Juſtices of Peace in Seſſions, or four of them may ſend the Offendor into *Scotland* to be tried: Howbeit this Act ſhall not take effect, until another of the like nature (*vice verſâ*) be made in *Scotland*.

XVI. **Stat.** 16. 17 *Car.* 17. An Act for the confirmation of the Treaty of Pacification between the two Kingdoms of *England* and *Scotland*. *See the Statute at large.*

XVII. **Stat.** 16. 17 *Car.* 18. An Act for ſecuring by publick faith the remainder of the friendly aſſiſtance and relief promiſed to our brethren of *Scotland*. *See the Statute at large.*

Engleſchire.

I. **Stat.** 14 *E.* 3. *Stat.* 1. *cap.* 4. Preſentment of Engleſchire is clearly aboliſhed.

Entry, and Writs of Entry.

I. **Marlbr.** 29. 52 *H.* 3. When ſo many alienations have been made, that the Writ of Entry cannot be made in the uſual form, the Plaintiff ſhall have a Writ to recover his Seiſin without mention of the degrees: *And this is called a Writ of Entry ſur diſſeſin en le Poſt.*

II. **Glocester,** 7. 6 *E.* 1. If a woman alien her dower in fee or for life, the heir, or other perſon to whom the land ought to revert after her death, ſhall immediately recover it by a Writ of *Entry*.

Entry lawful.

I. **Stat.** 32 *H.* 8. 33. Where a diſſeiſor dieth ſeized of lands, that deſcent ſhall not take away the entry of the diſſeiſee or his heir, unleſs the diſſeiſor had peacable poſſeſſion thereof five years next after ſuch diſſeiſin committed.

Errour.

I. **Stat.** 5 *E.* 3. 2, *in fine*, & 10 *E.* 3. *Stat.* 2. 3. Where Errour is made before the King's Steward and Marſhal, the Plaintiff may by Writ remove the Record into the King's Bench, and may there have it redreſſed.

II. **Stat.** 31 *E.* 3. *Stat.* 1. 12. The Lord Chancellor and Treaſurer calling to them ſuch of the Juſtices and other ſage perſons, as they

they ſhall think fit, as alſo the Barons of the Exchequer (to give the reaſons of their judgments) may examine erroneous judgments given in the Exchequer, and (if any errour be found) may correct the Rolls, to the end the Exchequer may proceed to execution.

III. **Stat.** 32 *El.* 3. Fines and Recoveries, and all matters concerning them now extant and in being may be inrolled, which inrolment ſhall be of as great validity, as the ſame ſo extant and remaining in being.

IV. No Fine, Proclamation or Recovery ſhall be reverſable for falſe Latine, raſure, interlining, miſ-entring, miſ returning, not returning or any other matter of form and not of ſubſtance.

V. This Act ſhall not bar any from a Writ of errour upon any fine or recovery heretofore had and purſued within five years after this Parliament, or which before the firſt of *June* 1582. was exemplified under the great Seal; nor a *feme covert*, Infant, *non compos mentis*, one in priſon or beyond Sea, ſo that they or their heirs purſue ſuch Writ within ſeven years after ſuch imperfection, reſtraint or abſence removed; and if any of them happen to die hanging the ſuit, their heir may undertake it within one year after the ſaid ſeven years, and if the heir be under age, then within one year after his full age.

VI. The day and year of the acknowledgement of a fine, and of the warrant of Attorney for the ſuffering of a recovery ſhall be certified together with the concord or warrant, and none ſhall be inforced ſo to certifie but within one year after ſuch acknowledgment made or warrant given.

VII. No Officer ſhall receive any Writ of covenant or entry without the day to certified, in pain of 5 l.

VIII. No Attornment upon any fine, in a *Quid juris clamat*, *Quem reddit tun reddit*, or *Per quæ ſervitia*, ſhall be entred upon Record, unleſs the party attorning have firſt appeared in Court, or by Attorney warranted under the hand of a Juſtice of one of the Benches, or of Aſſize, And every Attornment otherwiſe made ſhall be void without any Writ of Errour, or other means to be uſed for the avoiding thereof.

IX. There ſhall be an office for the inrolments of Writs for fines and recoveries, and one of the Juſtices of the Common Pleas (beſides the chief Juſtice) ſhall have the care thereof; and ſhall have for the inrolment and examination of every fine with the parts thereof 6 s. 8 d. and as much for a Recovery and the parts thereof, and for every exemplification of them 5 s. and for the ſearch of every year 4 d. and for every ſheet of a Copy (containing 14 lines)

14 lines) 4 d. and ſhall ſubſcribe his name to the Roll after he hath ſo examined it, in pain of 5 l.

X. The ſaid Juſtice ſhall have power to puniſh the officers, who manage that imployment, by fine or amerciament for their miſpriſion or negligence therein, which ſhall be eſtreated amongſt the fines and amerciaments of that Court.

XI. The *Chirographer* ſhall the firſt day of every Term fix in the Court of Common-Pleas a Table of each County, containing a true content of the fines paſſed in any one Term, and ſhall alſo deliver the like to each Sheriff, in pain of 5 l. and the Sheriff ſhall fix it up in the Court at the next Aſſizes, in like pain of 5 l. The ſaid forfeitures are to be divided betwixt the Queen and the proſecutor, and the *Chirographer's* fee for every ſuch content is 4 d.

XII. The Records ſhall not be carried out of the Office of Inrolments, and Fines and recoveries already paſſed and exemplified ſhall not be afterwards amended.

XIII. **Stat.** 27 *El.* 8. Where a judgment is given in the King's Bench in debt, detinue, covenant, accompt, action upon the caſe, *ejectione firmæ*, or treſpaſs, firſt commenced there (other then ſuch where the Queen is party) the plaintiff or defendant may ſue forth of the Chancery a Writ of Errour, commanding the chief Juſtice to cauſe the Record to be brought before the Juſtices of the Common Pleas, and Barons of the Exchequer into the Exchequer-chamber, which Juſtices and Barons, or any ſix of them (being of the Coif) have there power to examine, and reverſe or affirm the ſaid judgment; other then for errour concerning the juriſdiction of the King's Bench, or for want of form in any Writ, Return, Plaint, Bill, Declaration or other proceeding whatſoever: and after ſuch judgment reverſed or affirmed, the ſaid record ſhall be remanded, that the King's bench may proceed thereupon, as ſhall appertain; yet ſuch reverſal or affirmation ſhall not be ſo final, but that the party who finds himſelf grieved, may ſtill ſue in Parliament, as before.

XIV. **Stat.** 31 *El.* 1. The not coming of the Chancellor and Treaſurer at the day of adjourment in any ſuit of Errour depending by force of 31 *E.* 3. *Stat.* 1. *cap.* 13. ſhall not be any diſcontinuance of the Writ of Errour; But if both the chief Juſtices or either of thoſe great Officers be there, it ſhall be no diſcontinuance: Howbeit, no judgment ſhall be given therein, unleſs both thoſe Officers be there preſent,

XV. Any three of the Juſtices of the Common Pleas or Barons of the Exchequer may receive Writs of Errour, award proceſs thereupon,

thereupon, and prefix days of continuance for ſuch Writs notwithſtanding the Statute of 27 *El.* 8. but no judgment ſhall be given therein without the full appearance of ſix according to that Statute; and here alſo the party that finds himſelf grieved, may ſue in Parliament as before.

XVI. **Stat.** 16 *Car.* 2. *cap.* 2. For preventing abatement of Writs of Errour upon judgments in the Exchequer, enacted: That the not coming of the Lord Chancellor and Lord Treaſurer or either of them, at the day of Return of any Writ of Errour, to be ſued forth by vertue of the Statute 31 *E.* 3. *cap.* 12. (recited in the Statute 31 *Eliz. cap.* 1.) ſhall not cauſe any abatement or diſcontinuance of any ſuch Writ of Errour. But if both the chief Juſtices of either Bench, or either of them, or any one of the ſaid great Officers, the Lord Chancellor or Lord Treaſurer, ſhall come to the Exchequer chamber, and there be preſent at the day of Return of any ſuch Writ of Errour, it ſhall be no abatement or diſcontinuance: But the ſuit ſhall proceed, to all intents as if the ſaid Lord Chancellor and Lord Treaſurer had come and been preſent at the day and place of return of ſuch Writ.

Provided no Judgment be given, in any ſuch ſuit or Writ of Errour, unleſs both the Lord Chancellor and Lord Treaſurer ſhall be preſent thereat.

XVII. An Act to prevent Arreſts of Judgment, and ſtaying Executions, by Writs of Errour and *Superſedeas*.

Vid. Title Execution, *num.* XI.

☞ Eſcape.

I. **Weſt.** 1. 3. 3 *E.* 1. Nothing ſhall be taken for the eſcape of a felon, until it be judged an eſcape by the Juſtices in *Eyre*, in pain of reſtoring as much to the party grieved, and as much alſo to the King.

II. **Stat.** 31 *E.* 3. *Stat.* 1. 14. The eſcape of felons, and the chattels of felons, fugitives, and Clerks convict, adjudged by the King's Juſtices ſhall be levied, as they ſhall fall.

III. **Stat.** 1 *R.* 3. 3. Juſtices of Peace have power in Seſſions to inquire of eſcape of felons.

Eſchange.

I. **Stat.** 9 *E.* 3. 7. Exchanges ſhall be kept where it ſhall pleaſe the King and his Council.

II. **Stat.** 25 *E.* 3. *Stat.* 5. 12. Every man may exchange gold for

for ſilver, or ſilver for gold, or for gold and ſilver, ſo that no man hold the ſame as exchanged, nor take profit for ſuch exchange, in pain to forfeit the money ſo exchanged, except the King's Exchangers, which take profit for ſuch exchange, according to the ordinance before made: *Note that this Statute is thus alſo recited in* 5. 6. *E.* 6. 1. *Howbeit the* French *Copy* (*in ſtead of*, ſo as no man hold the ſame as exchanged) *hath it thus*: iſſint que nul home teigne comen eſchange; *and ſo the miſtake ſeems to be in the word* come, *which ſhould have been* comen, *and* Raſtal *in the firſt Edition of his Abridgment* (*which I have*) *renders it thus*: nul preigne riens put eſchange dot pur argent ou è *contra*, ſur pain de forfeiter del money. iſſint change for priſs changours le Roy, quex pregneront ſolonque lordinance ent fait.

III. **Stat.** 14 *R.* 2. *Stat.* 1. 2. For every Exchange, the Merchant ſhall be bound in Chancery to buy within three moneths after ſuch exchange) Merchandiſe of the Staple, to the value of the ſumm exchanged in pain to forfeit the ſome.

IV. **Stat.** 11 *H.* 4 8. The Statute of 14 *R.* 2. ſhall be duly executed, and the Lord Chancellor ſhall ſend the eſtreats or exchanges taken of Merchants into the Exchequer every 15 dayes, and the Barons there ſhall have power to examine the Cuſtomers in that caſe and to puniſh them, if they finde them faulty. *But note that thoſe two laſt Statutes are now out of uſe.*

* V. **Stat.** 5. 6 *E.* 6. 19. None ſhall give or take any more for the exchange of coin, then the true value thereof amounteth unto, in pain to forfeit the money ſo exchanged, or ſuffer one years impriſonment, and to be fined at the King's pleaſure; and the ſaid forfeiture is to be divided betwixt the King and ſeizer or proſecutor.

Exchequer.

I. **Stat.** *Scaccarii* 51 *H.* 3. All Bailiffs, Sheriffs, the Juſtices of *Cheſter*, Receivers of Wards and Eſcheats, and other Officers ſhall account in the Exchequer to the Treaſurers and Barons there; and all Sheriffs, Farmers, Bailiffs of Franchiſes, and others that ought to come to the proſer of that Court the Monday after *Mich.* and the Monday after the *Utas* of *Eaſter*, ſhall then pay in their Farms, Rents and iſſues, and upon default they ſhall there remain until payment or agreement made for the ſame, and in caſe of abſence they ſhall be amerced.

II. Then alſo ſhall the Sheriffs and Bailiffs pay in their ſummons of the Exchequer, and be then alſo ready to make account for the

things aforesaid, and if the Bailiffs fail to do it, their bodies shall remain in Ward of the Sheriffs, and the Sheriff shall levy the Kings debts by himself or his own Bailiffs, where the Bailiffs, of the Franchises fail to do it.

III. The Justices of *Cheſter* shall have day to accompt from year to year in *Quind Paſchæ*, and the Bailiffs thereof in the Monday of Easter *ætas*.

IV. All Sheriffs, (except of *Westmerland*, *Lancaster*, *Worcester*, *Rutland* and *Cornwal*) shall keep all Wards and escheats belonging to the King, and shall be answerable for the issues thereof in the Exchequer at the terms aforesaid; and at their turnes they shall find office of such things as belong to the King, and which are not used to be found before the Escheators with as little grievance of the people as may be: And shall seize such Escheats, as fall to the King in fee, and shall without delay certifie the King thereof.

V. The King shall assign three able persons to survey and finde yearly the Wards and Escheats aforesaid, which the Sheriffs shall let to farm for the King's best advantage.

VI. The Sheriff of *Cumberland* shall be Escheator in *Westmerland* and *Lancaster*, the Sheriff of *Nottingham* in *Rutland*, the Sheriff of *Gloucester* in *Worcester*, and the Sheriff of *Devonshire* in *Cornwall*; and shall safely keep the King's Wards and Escheats in those Counties, and at the terms aforesaid shall be answerable for the issues thereof in the Exchequer, as well as for those of their owne Counties.

VII. The said Surveyors shall approve and manage the King's demesnes, and shall be answerable for the issues thereof, and the Farmers shall be chargable to the principal Approvers, and they in the Exchequer yearly the Munday after *Ascention* day.

VIII. Also the Collectors of the Custom of the wooll shall account and pay yearly in the exchequer at the two Terms aforesaid.

IX. The keeper of the Kings Wardrope shall also account yearly at the feast of S. *Margaret*.

X. The Treasurer and Barons shall prefer the taking of these accounts before any other business to be heard in Court, except it concern the King's own debt.

XI. One Sheriff shall not be received to Accompt during an others account, nor untill the first account hath paid all his money.

XII. The Constable, Marshall, Chamberlain, and other that are of fee in the Exchequer shall present to the King such as are of good fame to execute their Offices, and for whom they will answer.

XIII. No Deputy-officer (without the licence of the Treasurer and Barons) shall be there received, unless he be sworne, and if he commit

commit any treſpaſs, and be not able to ſatisfie the puniſhment inflicted, his ſuperior ſhall be anſwerable for it.

XIV. The Officers of the Wool-ſtaple ſhall make oath to certifie the Treaſurer and Barons, or ſome of them (or, if need require the King himſelf) of all defaults and offences committed in the Wool-ſtaple.

XV. About the feaſt of St. *Margaret*, and before the cloſe of the Exchequer ſearch ſhall be made whether any Sheriff or Bayliff have failed to account that year, and if any be, a remembrance thereof ſhall be made in the Roll; and if it be a Sheriff, his account ſhall be firſt heard after *Michaelmas*; but if a Bayliff, he ſhall be ſummoned or deſtrained to account at a certain day.

XVI. The ſurveyors of the King's works ſhall be choſen by the oath of 12 men, and of ſuch as may beſt attend that Office, and are ſufficient to anſwer to the King, if need be; and ſhall ſwear that they bear lawful witneſs, and if the Treaſurer or Barons ſuſpect the ſale, allowance of charges, or the like, the truth thereof ſhall be inquired, and he that is attainted ſhall anſwer the King as much as the allowances amounteth unto, ſhall ſuffer a year and forty days impriſonment, and be further puniſhed at the King's pleaſure; and the Surveyors ſhall be alſo puniſhed for their conſent: and here, he that concealed any thing, wherewith he is chargeable ſhall be puniſhed as well as he that admitted ſuch falſe allowances.

XVII. All Juſtices, Commiſſioners, and others ſhall deliver into the Exchequer yearly after *Michaelmas* the eſtreats of fines and amerciaments taxed before them, and the Exchequer ſhall eſtreat them out in the ſummons to all Counties except the eſtreats in *Eyre* which ſhall be delivered immediately after the *Eyre* made.

XVIII. **Stat.** *de Rutland*, 10 *E.* 1. From henceforth the bodies of Shires ſhall not be written in ſeverall Rolls, but in a certain annual Roll by themſelves, which ſhall be read every year upon the accounts of Sheriffs.

XIX. The remnants of the ferms ſhall be written by later dates in the annual Rolls, and the Sheriffs ſhall be charged therewith in which remnants, Liveries, Alms aſſigned, and other allowances (if Sheriffs have had any) of the iſſues of their Bailiwicks by the Kings Writs ſhall be allowed, and to the end the King may not be abuſed in ſuch allowances, The Treaſurer and Barons ſhall certifie to the Chancellor the due allowances, and the Writs of allowances ſhall be made according to ſuch certificate.

XX. Alſo in thoſe annual Rolls ſhall be written the Sheriff's terms, the profit of Counties, the ferms of Serjeanties, Aſſerts, Cities, Burroughs, Towns and other ferms, whereof there is anſwer

yearly made in the Exchequer. In them likewiſe ſhall be written all debts determined, groſs debts, and all other debts, that ſeem to be clear: Howbeit new duties ſhall not be written therein, but thoſe debts, whereof there is hope of payment, and whereof the heriff is anſwerable, and debts found in the originals.

XXI. Of dead ferms and deſperate debts whereof there is no hope, one roll ſhall he made intituled *Comitatus*, and ſhall be read yearly upon the Sheriff's account, and the debts there, whereof the Sheriff is anſwerable ſhall be writ in the annual roll, and there ſhall be acquitted.

XXII. Tallies already paid and not allowed but charged in the ſummons of the Exchequer ſhall after proclamation be delivered to the Sheriffs to be allowed upon their accounts; and two faithful Knights in every County ſhall be preſent at the delivery of ſuch Tallies, which ſhall be delivered by Indenture betwixt the Knights & the Sheriff, which Knights ſhall ſend their part to the Exchequer at the Sheriffs account; and if the Tallies be not ſo delivered as aforeſaid, the party failing ſhall be chargeable with the debt.

XXIII. Inquiſitors ſhall be appointed in every County, what debts, and what part thereof are paid, and what not, which Inquiſitors ſhall certifie the perſons convict to have received them, and thereupon Examination thereof ſhall be made in the Exchequer, and the Rolls rectified accordingly.

XXIV. The Chamberlains of the Exchequer ſhall not make to Sheriffs or Bailiffs Tallies or *dividends*, unleſs they firſt receive of them writings concerning the particular ſumms of the actions of debts, and the names of them that paid them, unto which particulars he may put the names of ſuch *dividends*, which being ſo received under their ſeals, they ſhall not be afterwards numbred into other particulars.

XXV. When *Nichils* are returned by the Sheriff, they ſhall be eſtreated into Rolls and delivered unto circumſpect men to be inquired of as the Treaſurer and Barons ſhall direct.

XXVI. No ſuit ſhall be proſecuted in the Exchequer houſe unleſs it concern the King and his Officers there.

XXVII. **Stat. 37 *E.* 3. 4.** The Clerks of the Remembrance ſhall ſit againſt the Clerk of the Pipe to take notice of, and inbreviate all diſcharges in the Pipe, to the end that proceſs may thereupon ceaſe: alſo upon ſuch diſcharge the ſummons of Pipe ſhall be withdrawn.

XXVIII. **Stat. 1 *R.* 2. 5.** All former Statutes made concerning the Officers of the Exchequer ſhall be firmly kept.

XXIX. If any Officer there make out proceſs for a debt already paid,

paid, he ſhall loſe his office, be impriſoned, and make gree with the party at the diſcretion of the Treaſurer and Barons.

XXX. **Stat.** 5 *R.* 2. *Stat.* 1. 9. Every perſon impeached in the Exchequer may plead there in his own diſcharge.

XXXI. **Stat.** 5 *R.* 2. *Stat.* 1. 11. Accounts in the Exchequer ſhall be heard, made and ingroſſed more ſpeedily then they were wont.

XXXII. **Stat.** 5 *R.* 2. *Stat.* 1. 12. Two Clerks ſhall be aſſigned and ſworn to make parcels of Accompts in the Exchequer, and ſhall be recompenced for their pains as the Barons ſhall think fit.

XXXIII. **Stat.** 5 *R.* 2. *Stat.* 1. 13. No accounts of *Nichil* ſhall be admitted, but upon oath, and examination of the Officer, who upon ſuch oath ſhall be diſcharged thereof, ſaving the Kings right.

XXXIV. **Stat.** 5 *R.* 2. *Stat.* 1. 14. The Clerk of the Pipe and the two Remembrancers ſhall be ſworn to make due entry (every term) of all Writs for the diſcharge of any perſon. And the Remembrancers ſhall alſo be ſworn to make a Schedule (every term) of ſuch as ſhall be ſo diſcharged, and to deliver it to the Clerks of the Pipe, to the end they may be alſo diſcharged in the great Roll; and the Clerk of the Pipe ſhall alſo be ſworn to require ſuch Schedules, and to deliver like Schedules to the Remembrancers of ſuch as ſhall be diſcharged in his Office.

XXXV. **Stat.** 5 *R.* 2. *Stat.* 1. 15. If a Judgment of Livery given in any other Court ſhall be ſent into the Exchequer, the Remembrancer in whoſe office ſuch accounts ſhall be demanded ſhall not iſſue new proceſs thereupon, but ſhall cauſe it to ceaſe by an Indorſement upon the Writ.

XXXVI. **Stat.** 5 *R.* 2. *Stat.* 1. 15. The Clerk's fee for making of a Commiſſion or Record of *Niſi prius* in the Exchequer ſhall be onely 2 s.

XXXVII. **Stat.** 13 *R.* 2. *Stat.* 1. 14. Recognizances or bonds of the double made in the Exchequer for the King's debts ſhall be void: Provided, that the King be ſecured his duty the uſual way.

XXXVIII. **Stat.** 1 *Jac.* 26. Iſſues loſt, which by Queen *Elizabeth's* orders made in the fifteenth year of her Reign, ought to be remitted, ſhall from henceforth be diſcharged in the Exchequer

XXXIX. If the Treaſurer's Remembrancer or any Officer under him obſerve not the ſaid orders, they ſhall forfeit 20 l. to be ſued for within two years, and to be divided betwixt the King and the party grieved.

XL. No proceſs to do homage and fealty, or fealty onely, or writs of *ſcire facias*, *capias*, or diſtreſs for fines eſtreated out of the

Common Pleas, ſhall iſſue out of the Remembrancers office upon ſuppoſal onely, upon the pains provided by former laws and orders of the Exchequer, but it muſt be upon juſt ground: and if it appear there that a tenure hath been traverſed, the proceſs ſhall be diſcharged by ſuch traverſe without pleading.

XLI. Upon the eſtreat of the original of the Chancery of the firſt granted of any lands holden in chief, by Knight Service, or Soccage in chief, or of any licence or pardon of alienation, *Ouſter le main*, general or ſpecial livery, or the inrolment of any of them, proceſs ſhall be made only for the ſervices due thereupon, and the parties ſhall be admitted without pleading, paying the fine, as hereafter is expreſſed.

XLII. Here where the firſt tenant is returned *Mort*, or *Nihil hab't*; then ſhall iſſue out a *diſtring. tenent* for the tenant or tenants to do his or their ſervice; againſt whom, after he or they are known, proceſs ſhall iſſue out every term with iſſues to be loſt, until they come in to ſhew their entry, make fine, &c.

XLIII. If a grantee of an inheritance or free-hold in lands holden in chief, or by Knights ſervice have a licence of Alienation, and bring it to the Treaſurers Rembrancer, it ſhall be received and inrolled without plea: ſo likewiſe ſhall a Livery general or ſpecial, or *Ouſter le main*.

XLIV. Where any Writ of Reverſion ſhall be made upon any Record for lands, wherein the Prince is in Reverſion, the party upon ſhewing a Record teſtifying ſo much ſhall be diſcharged without plea.

XLV. Where two mannors in one County have the ſame name, if that of them be charged which ought not, the iſſues but ſhall be ſaved and the party diſcharged without pleo.

XLVI. Iſſues loſt by any, which are returned tenants of lands, which they have not, ſhall be diſcharged.

XLVII. Iſſues loſt upon a Ward under age ſhall be diſcharged; ſo alſo ſhall thoſe returned upon the Committee of a ward.

XLVIII. Iſſues loſt upon lands in the Queens hands by extent, ſhall be diſcharged; ſo alſo ſhall thoſe returned upon tenants for life, year, or at will; or upon tenants of lands in chief by extent.

XLIX. Iſſues loſt by untrue returns, or miſreturns by Sheriffs ſhall be diſcharged.

L. Iſſues loſt upon any former grants of lands in chief, and now not holden, ſhall be diſcharged.

LI. Iſſues loſt by being returned upon a Jury, when the party at the time of his appearance was in priſon, beyond ſea, or in the Queen's ſervice, ſhall be diſcharged.

The

The Exchequer-Fees for reſpect of Homage:

The value of the Land.	The Queen's Fee.	The Remembrancer's Fee.	The Entry.	The Attorney's Fee.
li. li.	ſh. d.	ſh. d.	ſh. d.	ſh. d.
A 100 *ad* 60	10 00	01 08	00 04	By ſome 03 04
A 60 *ad* 30	06 08	01 08	00 04	By ſome 01 08
A 30 *ad* 20	05 00	01 08	00 04	By ſome 00 00
A 20 *ad* 15	03 04	01 08	00 04	l. ſh. d.
A 15 *ad* 10	02 00	01 08	00 04	By ſome voluntary annuities for all matters. 2 00 0 / 1 00 0 / 0 13 4 / 0 10 0 / 0 06 8 / 0 05 0
A 10 *ad* 10 m	01 08	01 08	00 04	
A 10 m *ad* 5 li.	01 00	00 00	00 04	
A 5 li. *ad* 3 li.	05 08	00 08	00 04	
A 5 li. *& infra.*	00 04	00 04	00 04	

Theſe never loſe iſſues, but have their fines paid, whether they come or not.

LII. The Treaſurer's Remembrancer ſhall ſatisfie every ſubject's charges, that ſhall be vexed upon a ſuppoſal to be ſet by the Court ſo alſo ſhall his Clerks pay the iſſues loſt, when the ſubject hath duly paid his reſpect of Homage, to be proved by the acquittance.

LIII. The Treaſurer's Remembrancer may by order of the Exchequer iſſue out proceſs for the diſcovery and preſervation of tenures, notwithſtanding this Act; Howbeit, no ſuch tenure appearing, the party ſhall be diſcharged without plea or fee.

Eſcheators.

I. **Stat.** 14 *E.* 3. 8. Eſcheators ſhall be choſen by the Chancellor, Treaſurer, and chief Baron calling to them the two chief Juſtices as Sheriffs uſe to be choſen: and they ſhall not continue in their office above one year.

II. **Stat.** 34 *E.* 3. *Stat.* 1. 13. Every Eſcheator ſhall take his

Enqueſts of good and lawful men, well inherited and good fame, and inhabiting the County where the iniquiry is made; And the Enqueſt ſo taken ſhall be indented between him and the Jurors otherwiſe they ſhall be void. The Enqueſts ſhall alſo be taken in good towns openly and not privily.

III. Stat. 34 E. 3. Stat. 1. 14. Traverſes of offices found before the Eſcheators ſhall be tried in the Bench.

*IV. Stat. 36 E. 3. Stat. 1. 13. An Eſcheator ſhall have no fee of the lands of the King's ward, neither ſhall he commit any waſte therein, in pain of forfeiting treble damages at the ward's own ſuit, or by his friends; The ſame law is alſo of other land ſeiſed by Enqueſt of office.

V. Land ſeiſed into the King's hand by an Eſcheator ſhall be let to farm by the Chancellor to him which tendreth a traverſe to the office.

VI. Enqueſts ſhall be taken openly and by Indenture, as aforeſaid, and if the Eſcheator do contrary to this Act, he ſhall ſuffer two years impriſonment, and be ranſomed at the King's will.

VII. Stat. 42 E. 3. None ſhall be Eſcheator unleſs he have 20 l. of land at leaſt in fee: He ſhall execute his office in proper perſon, and upon the putting in of another, his office determines.

VIII. Stat. 8 H. 6. 16. No Eſcheator or Commiſſioner ſhall take any Enqueſts but ſuch as are impannelled by the Sheriff of the County within which he bears that office; in pain of 40 l. to be divided betwixt the King and the party grieved.

IX. Lands ſeiſed by the Eſcheator ſhall not be let to farm before the officer be fully returned, and then they ſhall be let to him that tendreth a traverſe to the office; he finding ſurety to proſecute it with effect, and to anſwer the profits, in caſe he cannot maintain the traverſe: but then he muſt tender his traverſe within a moneth after the return.

X. The Eſcheator or Commiſſioner ſhall return the office within a moneth, in pain of 20 l. to be divided betwixt the King and the proſecutor.

IX. Stat. 18 H. 6. 6. No lands ſhall be granted before the King's title thereunto be found by inquiſition, nor within a moneth after, unleſs it be to him that tendreth his traverſe, as aforeſaid.

*XII. Stat. 18 H. 6. 7. The Eſcheator ſhall return an office found before him into the Chancery or Exchequer within one moneth after the taking thereof, in pain of 40 l. given by the Stat. of 8 H. 6. 16. and beſides to anſwer ſo much to the King as he is damnified for not returning the ſame.

XIII.

XIII. Stat. 23 H. 6. 17. The Eſcheator ſhall take his inqueſt within one moneth after the delivery of the Writ unto him, and that in ſome good Town openly.

XIV. He ſhall not take above 40 s. for the execution of one writ in one County, and that onely when his labour and coſts require it, otherwiſe he ought to take leſs, and all this in pain of 40 l. to be divided betwixt the King and the proſecutor.

XV. If any will traverſe an office, no protection ſhall lie for the Patentee, and concerning the demiſe of the lands to him that tenders a traverſe, the Statutes of 36 E. 3. 13. 8. H. 6. 16. & 18 H. 6. 6. ſhall be duly obſerved.

XVI. Stat. 12 E. 4. 9. None ſhall take upon him to be an Eſcheator, or Deputy to an Eſcheator, unleſs the Eſcheator himſelf hath free-hold within the County worth 20 l. *per annum*, in pain of 40 l. to be divided betwixt the King and the proſecutor.

XVII. His Deputy or Farmer ſhall be a ſufficient man, and ſhall certifie into the Exchequer his deputation within 20 dayes next after it is made, upon the like pain of 40 l. to be divided as aforeſaid.

XVIII. Juſtices of Peace in Seſſions have power to hear and determine theſe defaults, and give judgment for the recovery of the ſaid forfeitures.

XIX. This Statute ſhall not reſtrain Corporations, which have power by their Charter to appoint Eſcheators.

XX. Stat. 1 H. 8. 8. No Office ſhall be returned into any of the King's Courts, but ſuch as is found by Jury, in pain to forfeit 5 l. to the party grieved.

XXI. The yearly revenue of an Eſcheator or Commiſſioner ſhall be fourty Marks in free-hold in the ſame County, ſo that they ſhall not execute any Writ, unleſs they have lands of that value, in pain of 20 l. and the Commiſſioner (not having ſuch an eſtate) may refuſe to ſit, and ſhall be diſcharged upon oath without fine or fee.

XXII. They ſhall ſit in open places according to former Statutes, and ſhall take their evidence openly, in pain of 40 l.

XXIII. Here, if the Sheriff return a Juror, not having 40 s. *per annum* free-hold in the ſame County, he ſhall forfeit 5 l.

XXIV. The Inquiſition ſhall be taken by Indenture, whereof one part ſhall remain with the fore-man, and the other part is to be delivered by the Commiſſioners or Eſcheator into the Petty-bag-office, from whence it is afterwards to be tranſcribed into the Exchequer: And the Jurors ſhall preſent by Indenture, in pain to forfeit 20 s. a piece, the Eſcheator alſo, or the Commiſſioners, or

ſome

ſome of them ſhall receive the Jurors preſentment without delay, in pain of 5 l.

XXV. The officer in the Petty-Bag ſhall file the office within three days after receit thereof, in pain of 40 l.

XXVI. The officer in the Exchequer that refuſeth to receive an office upon tender ſhall forfeit 40 l. and then the Eſcheator or Commiſſioners ſhall be diſcharged of their forfeiture of 40 l. for not returning the Officer within a moneth, ſo that they return another into the Chancery or Exchequer (as the cauſe requires) within a moneth after that firſt moneth.

XXVII. The Clerk of the Petty-Bag ſhall ſend a tranſcript of the office into the Exchequer the next term after he receives it, in pain of 5 l.

XXVIII. None ſhall be Eſcheator above a year, nor within 3 years after; and the aboveſaid forfeitures of 5 l. the party grieved ſhall have, but the reſt ſhall be divided betwixt the King and the proſecutor.

XXIX. This Act ſhall not reſtrain ſuch as by reaſon of any franchiſe, preſcription, or grant may depute Eſcheators, but that ſuch Eſcheators may hold their offices above a year.

XXX. Neither ſhall the branch of this Act concerning the yearly value of eſtates of Eſcheators and Jurors extend to Corporations or priviledged perſons, and places, the County Palatine of *Lancaſter* and *Cheſter* onely excepted.

XXXI. Neither ſhall this Act extend to prejudice Juſtices of Peace for doing any thing which concerns the Commiſſion of Peace.

XXXII. **Stat.** 1 *H.* 8. 10. Lands ſeized into the King's hands upon an inqueſt of Office ſhall be let to farm to him, that tendreth to traverſe the ſame within three moneths after ſuch office found, notwithſtanding the Statute of 8 *H.* 6. 16.

XXXIII. **Stat.** 33 *H.* 8. 22. He that is certified in the Chancery by the Treaſurer to be Eſcheator, ſhall within one moneth take upon him the office, or ſhew cauſe in the Exchequer why he doth it not, in pain of 20 l.

XXXIV. The Eſcheator ſhall not ſit, *virtute officii*, where the lands be 5 l. *per annum* or above, in pain of 5 l.

XXXV. The Eſcheator ſhall forfeit 5 l. if he take for the finding of an office of lands, that exceed not 5 l. *per annum* above 15 s. *viz.* for his own fee 6 s. 8 d. for writing the office 3 s. 4 d. for the Juries charges 3 s. and for the officers above, that are to receive the office 2 s.

XXXVI. The officers appointed to receive Inquiſitions, ſhall receive

ceive them upon tender within a Moneth after their finding, in pain of 5 l.

XXXVII. The aboveſaid forfeitures ſhall be divided betwixt the King and the Proſecutor.

XXXVIII. Stat. 2 & 3 *E.* 6. 8. The Eſtates and Intereſt of others ſhall be ſaved, though they be not found in the office.

XXXIX. Where an heir of full age is found within age, he ſhall have a Writ of *Ætate probanda* and may proceed to ſue out his Livery, or *Ouſter le main*, (as his caſe is) and receive the profits of his lands, notwithſtanding ſuch office found.

XL. Where after the King's tenants death more heirs then one are found, or if one untruly be found a Lunatick, Ideot, or dead, the party grieved may have his traverſe, as in other caſes of untrue Inquiſitions.

XLI. A traverſe, or *Monſtrance de droit* is given without petition, though the King be intitled by double matter of Record.

XLII. When the Jury findes de *quo vel de quibus, &c. ignorant*, or *per quæ ſervitia ignorant*, the firſt ſhall not make a tenure of the King, nor the laſt a tenure in *capite*, but in ſuch caſe a *melius inquirendum* ſhall iſſue forth.

XLIII. Traverſe given to an office; where a wrong tenure is found.

XLIV. The rents of mean Lords ſhall be paid (during the nonage of the ward) by the Officer, that receives the revenue of the Ward's lands.

XLV. This Act ſhall not extend to Inquiſitions taken before the 20 of *March* 1548.

XLVI. Upon every traverſe a *ſcire facias* or two writs of ſearch ſhall iſſue forth, *viz.* the firſt againſt the King's Patentee, and the other when by the Common Law the party grieved was put to his Petition.

XLVII. Notwithſtanding a traverſe, the King's former right ſhall be reſerved.

Eſcuage.

I. Magna Charta, 37: Eſcuage ſhall be taken as it was wont in the time of King *Henry* our Grandfather.

Essoin.

I. Marlb. 13. 52 H. 3. After issue joyned in Dower, *Darrein* presentment, or *Quare impedit*, one Essoin or one default shall be onely allowed, and if the party come not at the day given, or make default the second day, the Enquest shall be taken, and judgment given.

II. If the Enquest be taken in the County before the Sheriff or Coroners, it shall be returned before the Justices at a certain day, when if the party appear not, another day shall be assigned by the Justices, and then shall issue a command to the Sheriff to cause the party to come to hear the judgment: when if he come not, the Justices shall proceed to judgment: In like manner, it shall be done, if he come not at the day given by the Essoin.

III. Marlb. 19. 52 H. 3. In Counties, Hundreds, Court-Barons, or other Courts, none shall need to swear to warrant his Essoin.

IV. West. 1. 41. 3 E. 1. In Assize, Attaints, and *Juris utrum* after apparence the tenant shall not to be Essoined.

V. West. 1. 42. 3. Parceners or tenants joyntly enfeoffed shall not forch by Essoin.

VI. West. 1. 43. 3 E. 1. Essoin *ultra mare* shall not be allowed, but shall be turned into a default, if the Demandant will prove, that the tenant was within the four Seas the day of the summons and three weeks after. Howbeit, this is onely to be done before Justices.

VII. Glocester, 10. 6 E. 1. The husband and wife being impleaded shall not fourch by Essoin.

VIII. West. 1. 2. 13 E. 1. There shall be no Essoin for an Appellant.

IX. West. 2. 17. 13 E. 1. In the Circuit of the Justices an Essoin *de malo lecti*, lieth not for lands in the same County, unless the party be sick indeed: for if at the instance of the demandant it be proved by inquest that the tenant is not sick, the Essoin shall be turned to a default.

X. Neither shall such an Essoin lie in a Writ of right between two claiming by one descent.

XI. West. 2. 27. 13 E. 1. An Essoin may be allowed at the next day after inquest, but none at any of the other days following, nor after day given *prece partium*.

XII. West. 2. 28. 13 E. 1. In Assize after apparence the demandant shall not be Essoined.

XIII.

XIII. Stat. Of Eſſoins 12 E. 2. Eſſoins do not lie in the inſuing caſes, where the land is taken into the Kings hands; where the party is diſtrained by his lands; where any judgment is given thereupon, if the Jurors come where the party is ſeen in the Court; Eſſoin *ultra mare* lieth not, where the party hath had before an Eſſoin *de malo venir*; It lieth not where the party hath Eſſoined himſelf another day; where the Sheriff was commanded to make the party to appear; Eſſoin *de ſervitio Regis* lieth not where the party is a woman; it lieth not in a Writ of Dower; or becauſe the plaintiff hath not found pledges; it lieth not where ſuch a man's Attorney was Eſſoined; where the party hath an Attorney in his ſuit; where the Eſſoiner confeſſeth that he is not in the Kings ſervice, where the ſummons is not returned, or the party not attached upon *non eſt inventus* returned; where the party was before Eſſoined *de ſervitio Regis*, and had not put in his warrant; where the party hath been reſummoned in Aſſize of *Mortdanceſtor*, or *Darrein* preſentment; It lieth not becauſe ſuch a one is not named in the Writ; nor where the Sheriff hath a Precept to diſtrain the party to come by his lands and goods; nor where the Biſhop was commanded to cauſe the party to appear; nor for that the day is paſt.

XIV. An Eſſoin *de ſervitio Regis* is allowed after the *Grand cape*, *Petit cape*, and diſtreſſes taken upon the lands and goods.

XV. Stat. *De viſu terræ*, An Eſſoin *de ſervitio Regis* lieth not in a Writ of *Novel diſſeiſin*, Dower, *Darrein* preſentment, or Appeal. *Vide Raſt. Eſſoin* 13.

Eſtrepement.

I. Glocester, 13. 6 E. 1. No waſt ſhall be made hanging a ſuit for the land.

Eſtreats.

I. Weſt. 1. 44. 5 E. 1. If tenant or defendant make default after the firſt attachment returned, the great diſtreſs ſhall be awarded whereupon if the Sheriff make no ſufficient return, he ſhall be amerced, but if the return be that he hath done execution, and delivered the iſſues to the ſureties, day ſhall be given him to return them before the Juſtices, when if the party appear, he ſhall have them, but if not, the King ſhall have them; and the Juſtices ſhall cauſe them to be ſent into the King's Wardrobe, and then deliver them into the Exchequer, and the Juſtices in *Eyre*, to the Sheriff of the County (where they plead) and likewiſe of forreign Counties, who ſhall be charged therewith by the Rolls of the Juſtices.

II.

II. Stat. *De forma mittendi extractus ad ſcaccarium* 15 *E.* 2. *Vide Raſt. Eſtreates* 2. Firſt, all fines to have Writs, and all other fines (wherein the ſum is expreſſed) of one County for the whole year, which are to be ſent into the Exchequer, entred in the ſtreat of themſelves in one place, in order as they are entred in the Chancery Rolls, together with the date of the day when ſuch fine was made.

III. Next to them ſhall be entred Charters, Letters Patents, and Commiſſions in which any rent is due to the King, or any accompt is to be made; Then, homages, fealties, writs of *Diem clauſit extremum*, reliefs and ſervices.

IV. Then, the names of all ſuch as ſhall be aſſigned that year to hear, inquire of, or do any thing, whereby fine, amerciament, or other profit may ariſe to the King, to the end they may be ſent to for the Eſtreats thereof. And in the end of the Eſtreat rediſſeiſins and ſurcharging of paſtures.

V. *Statutum ſcaccarii* is confirmed, and it is further ordained, that the Juſtices of both the Benches, the Warden of the Forreſt, the Steward of the King's houſe, and the Clerk of the Marker, ſhall in like manner yearly deliver their Eſtreats in the Exchequer: The Steward of the King's houſe ſhall alſo ſend his Eſtreats yearly at the cloſe of *Eaſter* term, and the next day after *Michaelmas*.

VI. The Warden alſo of the Aulnage ſhall yearly deliver his Eſtreats to the Treaſurer, containing all defaults of cloth contrary to the Aſſize and the Price, at which he delivered them, and alſo where, when, and by what warrant.

VII. Divers other proviſions for the King's Butler, and Cuſtomers concerning wines imported.

VIII. Stat. 42 *E.* 3. 9. The party chargeable by the Eſtreats of green wax upon payment thereof ſhall ſee the ſchedules themſelves under ſeal, and the charge being paid, it ſhall be totted by the Sheriff, for default whereof if the party be afterwards damnified, the Sheriff ſhall pay him treble damages, to be recovered before Juſtices of Peace, or other Juſtices, and ſhall beſides make fine to the King. Alſo where the copies of the Eſtreat concern franchiſes they ſhall be delivered to Bailiffs of the Franchiſes under the Sheriffs ſeal, which Bailiffs ſhall render an account thereof in the Exchequer by the ſame Copies.

IX. Stat. 7 *H.* 4 3. The Juſtices and Judges, before whom Iſſues or amerciaments are forfeit, ſhall charge the Clerks of the Eſtreats, where they are ſo forfeit, by oath to expreſs in their Rols the cauſe of ſuch forfeit, the term when, the nature of the Writ whereupon

whereupon, and betwixt what parties they were left, and that as well in the King's ſuit as in the parties.

X. The Statute of 42 *E.* 3. 9. confirmed.

Evidence.

I. Stat. *Ja.* An Action being brought againſt a Juſtice of Peace, Major, or Bailiff of a Corporation, Head-borough, Portreeve, Conſtable, Tithing-man, or Collector of ſubſidies or fifteens for any thing done by reaſon of their ſeveral offices, both they and all their aſſiſtants may plead the general iſſue, and yet give the ſpecial matter in evidence.

II. Here, if the verdict paſs for the defendant, or the plaintiff be non-ſuit or diſcontinue his ſuit, the defendant ſhall be allowed double coſts, to be recovered, as coſts in other caſes given to the defendant uſe to be recovered.

III. Stat. 21 *Ja.* 12. The Statute of 7 *Ja.* 5. is confirmed, and Churchwardens, Sworn-men, and Overſeers of the poor, together with their Aſſiſtants are to be comprehended within the purview of the ſame Statute.

IV. An Action brought againſt any the ſaid Officers there Deputies or Aſſiſtants ſhall be laid in the County where the fact was committed, and not elſewhere.

Exception.

I. Weſt. 2. 31. 13 *E.* 1. When the Juſtices will not allow a Bill of exception upon Prayer, if the party impleaded render the ſame unto them in writing, and requires their ſeals thereunto, they or one of them ſhall do it.

II. If the Exception ſealed be not put into the Roll, upon complaint thereof to the King the Juſtice ſhall be ſent for, and if he cannot deny the ſeal, the Court ſhall proceed to judgment, according to the exception.

Exciſe.

I. Stat. 12 *Car.* 2. *ca.* 24. There ſhall be paid to the King his heires and ſucceſſors the ſeveral rates and impoſitions following, viz.

Every barrel of Beer or Ale above 6 s. the barrel, brewed by common Brewers or perſons commonly ſelling the ſame, 15 d.

Every barrel of Beer or Ale under 6 s. by ſuch common Brewers or Sellers, 3 d.

Every

Every hogshead of Sider and Perry sold by retail, and payable by the retailer, 15 d.

Every gallon of Metheglin or Mead sold, to be paid by the maker, ob.

Vinegar beer by the common brewer, every barrel, 6 d.

Every gallon of Strong-water, or Aquavitæ, sold, to be paid by the maker, 1 d.

Every barrel of Beer imported from beyond Sea, 3 s.

Every tun of Sider or Perry imported, 5 l.

Every gallon of Spirits made of Wine or Sider imported from beyond Sea, 2 d.

Every gallon of Strong-water imported, 4 d.

Every gallon of Coffee sold, to be paid by the maker, 4 d.

Every gallon of Chocolate, Sherbet and Tea, sold by the maker. 8 d.

II. The rates upon forein liquors imported shall be paid by the Merchants importing, in ready money before landing thereof.

III. All common Brewers of Beer and Ale, shall once in every week: And all Inn-keepers, Alehouse-keepers, Victuallers and retailers of Beer, Ale, Sider, Perry, Metheglin and Strong-water, every moneth make particular entries thereof at the office of Excise within their limits.

IV. All common Brewers for omitting such entries shall forfeit 10 l. Inn-keepers 5 l. and Alehouse-keepers 20 s. for every default.

V. Common Brewers not paying their duties within a week after entry, shall pay double the value: Inn-keepers, Alehouse-keepers, Victuallers and retailers, not paying within a moneth after entrie, shall pay double the value.

VI. Provided, none dwelling in Market-towns be compelled to make entries or payment, but in the said Town, none other dwelling out of such Market-town but in the next Market-town to the place where he inhabiteth.

VII. The Commissioners and Sub-commissioners appointed by the King may under their hands and seals appoint so many Gagers as shall be needfull: who may enter into the houses of Brewers, Inn-keepers, &c. to gage all Coppers, Fatts, and Vessels in the same, and thereof make return in writing to the Commissioners and Sub-commissioners of Excise under whose office and limits they live: and upon refusal may forbid the parties to sell any Beer, &c. and 10 l. forfeiture, if the party shall afterwards sell.

VIII. The Gagers shall return 36 gallons after the Ale-quart for a Barrel of Beer,

IX. Bre-

IX. Brewers and Retailers ſhall obſerve the uſual prices: ſaving the Exciſe to the Brewer.

X. Allowance ſhall be made to the Brewers for waſt and leakage, viz. 3 barrels, upon 24 for beer, and 2 barrels, upon 22 for Ale; which upon falſe entry proved before the Commiſſioners of Exciſe or any 2 of them, the Brewer ſhall loſe and forfeit the ſaid allowance for 6 moneths.

XI. Brewers ſhall deliver no Beer to Retailors untill the Exciſe be paid: Provided, perſons being no common Brewers paying the Exciſe ſhall not be ſubject to the penalties in this Act.

XII. Commiſſioners may compound for the Exciſe with Innkeepers, Alehouſe-keepers and Victualers within their Diviſions.

XIII. The Lord Treaſurer or ſuch Commiſſioners as the King ſhall appoint, may contract with perſons for the farming any the rates or duties in this Act, for any term not exceeding 3 years.

XIV. Provided, perſons to be appointed by the Juſtices of the Peace within ſix moneths after this Act to have the refuſal of contracting for the Exciſe, in their reſpective Counties.

XV. Forfeitures and offences upon this act in *London* ſhall be heard and determined before the Commiſſioners of Exciſe, or Commiſſioners of Appeal, and in the ſeveral Counties before two Juſtices of the Peace, and upon their neglect or refuſal by 14 days ſpace after complaint, and notice to the offendor, then the Subcommiſſioners for the Town or place, &c. or major part of them to hear and determine the ſame, ſaving an appeal in caſe of wrong to the quarter Seſſions, who are to ſummon the parties and may proceed to levy the forfeitures within this Act.

XVI. Provided, the ſaid forfeitures and penalties may be mitigated or compounded, 3 fourth parts of which ſhall go to the King and one fourth to the informer.

XVII. One principal office of the Exciſe erected in *London*, to be managed by ſuch officers as the King ſhall appoint.

XVIII. None ſhall be capable to meddle in any office of the Exciſe, until he ſhall before two Juſtices of the Peace, or one of the Barons of the Exchequer take the Oath of *Supremacy* and *Allegiance* and the Oath following.

You ſhall ſwear to execute truly and faithfully, without favour or affection; and ſhall from time to time true accompt make, and deliver to ſuch perſon and perſons as his Majeſtie ſhall appoint to receive the ſame; And ſhall take no fee or reward for execution of the ſaid office, from any other perſon then from his Ma-

Majeſty; or thoſe whom his Majeſty ſhall appoint in that behalf.

XIX. *London, Weſtminſter, Southwark*, and Pariſhes under the bills of Mortality ſhall be under the government of the head office, and be open at certain times of the day.

XX. The General iſſue may be pleaded in any action brought, againſt perſons doing any thing in execution of this Statute, and the defendant upon nonſuit or verdict for the defendant to return double coſts.

XXI. Writs of *Raciorari* ſhall ſuperſede no proceedings.

See Accompt, num. XI.

XXII. See Stat. 1. 5. *Car.* 2. *cap.* 12. *Stat.* 3. An additional Act for better ordering and collecting the duty of Exciſe, and preventing the abuſes therein, and *Stat.* 15. *Car.* 2. *cap.* 13 *Stat.* 3. An explanation Act for recovery of the Arrears of Exciſe not pardoned by the Act of Oblivion.

XXIII. Stat. 16. 17 *Car.* 2. *cap.* 4. After the 8 of *November* 2665. all farmers of Exciſe or any of them within their reſpective diviſions may uſe and put in execution all ſuch powers as Commiſſioners or Sub-commiſſioners of Exciſe may by ſeveral Statutes for Exciſe, for the levying the ſame. Except the judicial part for determining offences, and impoſing or mitigating or compounding fines, or penalties.

Excommunication.

I. *Sententia lata ſuper Chartas* 38 *H.* 3. *Vide Raſt. Extrom.* 1. In the year 1254, by the conſent and in the preſence of the King, the Lords and other eſtates of the Realm. *Boniface* Arch-biſhop of *Canterbury*; and all the other Biſhops then preſent being apparelled in Pontificals with tapers burning, do in *Weſtminſter*-hall ſolemnly denounce a heavy curſe and Excommunication againſt all ſuch as ſhall violate or break the liberties of the Church, or Cuſtoms and Liberties of the Realm, and eſpecially contained in *Mag. Chart.* and *Cart. de Foreſta.*

II. *Articuli Cler.* 7. 9 *E.* 2. The King's letters, that Ordinaries ſhall abſolve excommunicate perſons, ſhall not iſſue forth any more, unleſs it be found that the King's liberty is prejudiced by ſuch Excommunication.

III. *Articuli Cleri.* 12. 9 *E.* 2. The Writ of *Excommunicato capiendo* ſhall not be denyed for the priviledge of being of the King's tenure, and that the party ought not to be cited out of their Pariſh.

IV.

IV. Stat. 9 E. 3. Writs are ordained for the Biſhops to excommunicate all perturbers of the peace of the Church and King, felons, maintainers and conſpirators of felonies, falſe Jurors, and maintainers of falſe quarrels, every Sunday and double feaſts, &c. in all Cathedral and other Churches, and to proceed againſt them according to the Canon Laws. *Vide Raſt. Abridg. Edit. prim.*

Excommunicato capiendo.

I. Stat. 5 *El.* 23. Every writ *de Excommunicato capiendo* ſhall be made in Term-time, and returnable in the King's Bench the next Term after the *Teſte* thereof, having 20 days betwixt the *teſte* and return.

II. After the Writ ſhall be ſealed, it ſhall be forthwith brought into the King's Bench, and there opened and delivered of record to the Sheriff or other Officer, or other Deputies, to whom the execution thereof appertains; and then if the Sheriff or other Officer do not duly execute it, the Juſtices there ſhall amerce him at their diſcretion, and eſtreat the amerciament into the Exchequer.

III. At the return of the writ the Sheriff, or, &c. ſhall not be compelled to bring the party arreſted in the King's Bench, but onely return the writ with a ſhort declaration how it was executed, to the end the Juſtices may proceed therein, according to the tenor of this Act.

IV. If the Sheriff, or, &c. return a *Non eſt inventus*, then ſhall ſue out of the King's Bench, a *Capias* returnable in Term-time two moneths (at leaſt) after the *teſte* thereof, with a Proclamation to be made ten days (at leaſt) before the return at the County-Court, Aſſize, Gaol-delivery, or Seſſions, that the party ſhall within ſix days after ſuch proclamation yield his body to the Gaole, and there remain as a Priſoner, in pain of 10 l. And what ſhall be done therein and thereupon ſhall be returned by the Sheriff, or, &c.

V. If upon the return it appear that the party hath not rendred himſelf priſoner upon the firſt *Capias* he ſhall forfeit 10 l. more to be eſtreated, as aforeſaid; and then a ſecond *Capias* ſhall be awarded againſt him with proclamation, as before, and a pain to forfeit 20 l. whereupon if he do not render himſelf priſoner, he ſhall forfeit 20 l. to be eſtreated by the Juſtices, as aforeſaid; And then a third *Capias* ſhall be awarded, with like proclamation and pain; and then a fourth, and ſo infinitely, untill he render himſelf priſoner, upon the ſeveral returns whereof he ſhall forfeit 20 l. to be eſtreated, as aforeſaid.

VI. The party yielding his body ſhall be committed to priſon in like ſort, as if he had been taken upon the *Excom. cap.*

VII. If the Sheriff, &c. makes a falſe return upon any of the ſaid Writs, he ſhall forfeit to the party grieved 40 l.

VIII. The Biſhops authority to receive ſubmiſſion and deliver the excommunicate is ſaved, according to the former uſage, *viz.* by a certificate thereof into the Chancery from the Biſhop, and then a Writ from thence to deliver the priſoner.

IX. In *Wales*, the Counties Palatines of *Lancaſter*, *Cheſter*, *Durham*, and *Ely*, and in the Cinque-ports (being Juriſdictions exempt where the Queen's Writ runneth not) a *Significavit* (being of Record in Chancery) ſhall be ſent by *Mittimus* to the Juſtices or Head-officers there, who ſhall then proceed againſt the excommunicate, as the King's Bench is above directed.

X. Perſons in priſon, beyond ſea, under age, of *non ſane* memory, or Covert ſhall not incur the penalties aforeſaid.

XI. If in the *Excom. cap.* the excommunicate have not a ſufficient addition according to the Statute of 1 *H.* 5. 5. Or if in the *Significavit* it be not contained, that the excommunication proceeds upon ſome cauſe or contempt of ſome original matter of hereſie, refuſing to have his child baptized, to receive the Sacrament, to come to Divine Service, or errour in matters of Religion or Doctrine, Incontinency, Uſury, Simony, Perjury in the Eccleſiaſtical Court, or Idolatry, he ſhall not incur the penalties aforeſaid.

XII. If the addition be with a *Nuper* of a place, the firſt *Capias* and proclamation ſhall iſſue forth without any penalty; and in ſuch caſe alſo, if the party be proclaimed in a County where he is not for the moſt part reſiant, he ſhall not incur the forfeitures aforeſaid.

Execution.

I. **Stat. 2. 18. 13 E. 1.** He that recovereth a debt or damages in the King's Court may at his choice have a *fieri facias* of the land and chattels of the debtor, or a Writ for the Sheriff to deliver him all the chattels of the debtor (except Oxen and Plough-beaſts) and the moiety of his land by a reaſonable extent till the debt be levied: and if he be ejected out of the land he ſhall have an Aſſize, and afterward a Writ of diſſeiſin, if need be; And this laſt Writ is called an *Elegit*.

II. **Stat. 2. 45. 13 E. 1.** For all things recorded before the King's Juſtices, or contained in fines (whether Contracts, Covenants, Obligations, Services, or Cuſtoms acknowledged, or any other things inrolled)

inrolled) a Writ of execution ſhall be within the year: But after the year a *Scire facias*, whereupon if ſatisfaction be not made, of good cauſe ſhewed, the Sheriff ſhall be commanded to do execution.

III. In like manner alſo ſhall the Ordinary be commanded in his caſe: Howbeit as concerning a Meſne, which by recognizance or judgment is bound to acquit, what is ſaid is before (*which ſee in Meſne* 1.) muſt be obſerved.

IV. **Stat.** 32 *H.* 8. 5. If lands delivered in execution on juſt cauſe be recovered without fraud from the tenant in execution before he ſhall have levied or received his whole debt and damages, he may have a *Scire facias* out of the Court from whence he had the execution returnable into the ſame Court at a day, (40 days at leaſt) after the date of ſuch *Scire facias*; At which day, if the defendant being lawfully warned make default, or do appear, and do not plead a ſufficient cauſe (other then the former acceptance of the lands to avoid the ſaid ſuit for the reſidue of the ſaid debt and damages, the ſaid Court ſhall iſſue forth a new Writ of execution for the levying thereof.

V. **Stat.** 1 *Ja.* 13. If any taken in execution be delivered by priviledge of Parliament, as ſoon as ſuch priviledge ceaſeth, the Plaintiff, his Executors or Adminiſtrators may ſue out a new execution againſt him; and the Sheriff or other Officer ſhall not be chargeable for the firſt arreſt.

VI. This Act ſhall not leſſen the puniſhment of any by cenſure of Parliament, who ſhall preſume to procure ſuch an arreſt.

VII. **Stat.** 3 *Jac.* 8. No execution ſhall be ſtayed upon any writ of Errour or *Superſedeas* thereupon, for the reverſing of a judgment in any action of debt, or upon any contract in the Courts at *Weſtm.* of the Counties Palatine of *Lancaſter* and *Cheſter*, or of the great Seſſions in *Wales*, unleſs the Plaintiff with two ſufficient ſureties (ſuch as the Court ſhall like of) ſhall firſt be bound to the party (for whom ſuch judgment is given) by recognizance in the ſame Court, in double the ſumme adjudged, to proſecute the ſaid Writ of errour with effect, and to pay (if the judgment be affirmed) all debts, damages and coſts ſo adjudged, and all coſts and damages for delaying of execution by the Writ of errour.

VIII. **Stat.** 21 *Jac.* 24. The party or parties, at whoſe ſuit any perſon ſhall ſtand charged in execution for debt or damages recovered, their Executors or Adminiſtrators may after the death of the perſon ſo charged in execution, lawfully ſue forth new execution againſt the lands and tenements, goods and chattels of the perſon ſo deceaſed, in like manner as if the perſon deceaſed

had never been taken in execution. Howbeit, this Act ſhall not extend to lands ſold *bona fide*, (after the judgment given) when the money raiſed thereupon is paid or ſecured to be paid to Creditors in diſcharge of due debts.

IX. For further remedy againſt the inconvenience of ſtaying Execution, after judgement, in part provided againſt by the *Stat. 3 Jac. cap. 8*, no Execution ſhall be ſtayed in any of the ſaid Courts by writ of errour or Superſedeas after Verdict and Judgment in action of debt upon the *Stat. 2 E 6*, for tithes, promiſe for payment of money, Trover, Covenant, Detinue or Treſpaſs, unleſs ſuch recogniſance in the ſame Court be firſt entred as directly by the ſaid Statute: And if Judgement be affirmed the party preſenting ſuch writ or error ſhall pay double coſt for ſuch delay.

X. *Proviſo*, this Act ſhall not extend to any popular Action, except *Stat. 2. E. 6.* nor to any Indictment, Information, Inquiſition, or Appeal.

XI. *Stat. 16. & 17 Car. 2. cap. 8.* After a verdict of 12 men in any action, ſuit, bill or demand, commenced after the 25 of *March* 1665 in any of the Courts of Record at *Weſtminſter*, or Courts of Record in the County Palatine of *Cheſter*, *Lancaſter*, or *Durham*, or Courts of the Great Seſſion, or in any of the 12 Shires of *wales* judgment thereupon ſhall not be ſtayed or reverſed, for default in form, or lack of form, or lack of pledges, or but one pledge to proſecute returned upon the original writ, or for default of entring of pledges upon any Bill or declaration, or for default of bringing into Court of any Bond, Bill, Indenture, or other deed whatſoever mentioned in the declaration or other pleading, or for default of allegation of the bringing into Court of letters Teſtamentary, or letters of Adminiſtration, or by reaſon of the omiſſion of *vi & armis* or *contra pacem*, or for miſtaking of the Chriſtian-name or Sur-name, of the Plaintiff or Defendant, Demandant or Tenant, ſumme or ſummes of money, day, moneth or year, by the Clerk in any Bill, Declaration, or pleading, where the right name, Surname, ſumme, day moneth or year in any Writ, Plaint, Roll, or Record preceding, or in the ſame Roll or Record where the miſtake is committed, is rightly alledged, whereunto the Plaintiff might have demurred and ſhewn the ſame for cauſe: Not for want of the averment of *Hoc paratus eſt verificare*, or *Hoc paratus eſt verificare per Recordum*, or for not alledging *Prout patet per Recordum*, or for that there is no right venue, ſo as the cauſe were tried by a Jury of the proper County, or place where the action is laid.

XII.

XII. Nor any judgment after verdict, confeſſion by *cognovit actionem*, or *relicta verificatione*, ſhall be reverſed for want of *Miſericordia*, or *Capiatur*, or by reaſon that a *Capiatur* is entred for a *Miſericordia*, or a *Miſericordia* for a *Capiatur*: Nor that *Ideo conceſſum eſt per curiam* is entred for *Ideo conſideratum eſt per Curiam*; nor for that encreaſe of coſts after a verdict in any action, or upon a nonſuit in Replevin are not entred to be at the requeſt of the party for whom the Judgment is given; nor by reaſon that the coſts in any whatſoever are not entred to be by conſent of the Plaintiff: But that all ſuch omiſſions, variances, defects and other matters of like nature, not being againſt the right of the matter of the ſuits, nor whereby the iſſue or tryall are altered, ſhall be amended by the Juſtices and other Judges of the Courts where ſuch Judgments are or ſhall be given, or whereupon the Record is or ſhall be removed by writ of errour.

Provided this Act extend not to any Writ, Declaration, or ſuit of Appeal of Felony or Murther, nor any indictment or preſentment, of Felony, Murther, Treaſon, or other matter, nor to any proceſs upon any of them, nor to any writ, Bill, action or information upon any penal Statute, other then concerning Cuſtomes and Subiſdies of Tunnage and Poundage.

XIII. And after the 20 of *March*. 1664. No execution ſhall be ſtayed in any of the aforeſaid Courts by writ of errour or Superſedeas thereupon, after verdict and Judgment, in any action perſonal whatſoever, unleſs a recognizance with condition, according to the former Statute made 3 *Jacob. cap.* 8. ſhall be firſt acknowledged in the Court where ſuch Judgment ſhall be given.

XIV. In writs of errour to be brought upon any Judgment after Verdict in any writ of Dower, or of *Ejectione firmæ* no Execution ſhall be ſtayed, unleſs the plaintiff in ſuch writ of Error ſhall be bound unto the Plaintiff in ſuch writ of Dower or *Ejectione firmæ*, in ſuch reaſonable ſumme as the Court to which ſuch writ of Errour ſhall be directed ſhall think fit with condition that if the Judgment ſhall be affirmed in the ſaid writ of Errour; or the writ of Errour diſcontinued in the default of Plaintiff there in, or that the ſaid Plaintiff be nonſuit in ſuch writ of Errour, that then the Plaintiff ſhall pay ſuch coſts, damages, and ſummes of money as ſhall be awarded; after ſuch judgment affirmed, diſcontinuance, or Nonſuit. And the Court wherein ſuch execution ought to be granted, upon ſuch affirmation, diſcontinuance or nonſuit, ſhall iſſue a writ to enquire, as well of the mean profits, as of the damages by any wayes committed after the firſt Judgment in Dower,

or *Ejectione firmæ*: And upon return thereof Judgment ſhall be given, and Execution awarded for ſuch mean profits, and damages, and for coſts of ſuit.

Provided, this Act extend not to any writ of error to be brought by any Executor or Adminiſtrator, nor any action popular, nor to any other action which is or ſhall be brought upon any penal Law or Statute (except actions of debt for not ſetting forth of tithes) nor to any Indictment, Preſentment, Inquiſition, Information, or Appeal.

This Act to continue in force for 3 years, and to the end of the next Seſſion of Parliament, after the ſaid 3 years, and no longer.

Execution of Statutes.

I. **Stat.** 3 *H.* 7. 1. The Lord Chancellor, Treaſurer, or Priy Seal, or any two of them, calling to them a Biſhop, a Lord of the Council, and the two chief Juſtices, (or two other Juſtices in their abſence) upon bill of information put to the Chancellor, for the King or any other for maintenance, retainers, embraceries, untrue demeanings of Sheriffs, taking of money by Juries, great Riots, or unlawful aſſemblies, have authority to call before them by writ, or privy Seal the ſaid miſdoers, and them and others to examine, and to puniſh them according to the Statutes in that behalf made in like manner as if they were convict by due order of Law.

II. **Stat.** 21 *H.* 8 90. The Preſident of the King's Council ſhall be aſſociate with the Lord Chancellor, &c. for the examination and puniſhment of the miſ-doers aforeſaid, according to the ſaid Statute of 3 *H.* 7. 1. and other Statutes thereof made.

Executors.

I. **Weſt.** 2. 23. 13 *E.* 1. Executors ſhall have a Writ of accompt, and like action and proceſs in the ſame Writ, as their teſtator ſhould if he had lived.

II. **Stat.** 4 *E* 3. 7. Executors ſhall have an action for a treſpaſs done to their teſtator as for his goods and chattels carried away in his life, and ſhall recover their damage, in like manner as he, whoſe executors, they ſhall have done, if he had lived.

III. **Stat.** 9 *E.* 3. *Stat.* 1. 3. In a writ of debt brought againſt Executors, they ſhall have but one Eſſoin amongſt them all before apparence, and another after, ſo that they ſhall not fourch by Eſſoin.

IV. Here, though the Sheriff upon the Summons return *nihil*, yet

yet an attachment ſhall be awarded, and upon *nihil* alſo returned thereupon the great diſtreſs, and then he or they that appear ſhall anſwer.

V. Albeit ſome of them after apparence make default at the return of the great diſtreſs, yet ſhall he or they be put to anſwer, that firſt appeared at the great diſtreſs ſo returned.

VI. If judgment paſs for the Plaintiff, he ſhall have judgment and execution againſt them that have pleaded, and againſt all others named in the Writ, of the Teſtators goods, as well as if they had all pleaded.

VII. Any may ſue in this caſe according to the Law formerly uſed (if he pleaſe) notwithſtanding this Statute.

VIII. **Stat.** 25 *E.* 3. *Stat.* 5. 5. Executors of Executors ſhall have actions of debt, account, and of goods carried away of the firſt teſtators; and execution of Statute-merchants and Recognizances made unto him, and ſhall alſo anſwer to others ſo far forth as they ſhall recover of the firſt teſtators goods, as the firſt executors ſhould have done.

IX. **Stat.** 33 *H.* 6. 1. Where ſervants after the death of their Lords or Maſters do imbezil their goods, after full information thereof made to the Lord Chancellor by the Executors or two of them of ſuch ſpoil made, the ſaid Lords Chancellor by advice of the two chief Juſtices and chief Baron, or two of them ſhall have power to make ſuch Writs to be directed to ſuch Sheriffs, as to them ſhall ſeem fit, to make proclamation in ſuch places within twelve days after delivery of the ſaid Writs, as to the ſaid Chancellor by the advice aforeſaid ſhall ſeem reaſonable, that the offenders appear in the King's Bench at the day limited in the Writ, which Proclamation ſhall be made 15 days before the day of apparence, when if the offendor appear not, he ſhall be attainted of felony.

X. If the party appear, the Juſtices ſhall commit him to priſon, there to remain, until he hath anſwered the Executors in their actions, and the ſame actions be determined, provided, that they be purſued with effect, and not ſlackly.

XI. The offender may be bailed by the Juſtices of that Bench, procuring two ſufficient perſons to be bound with them to the Executors by recognizance in the ſame Court, to keep ſuch day, as he ſhall have by the ſame Court.

XII. The Goaler ſhall not let them go at liberty without the Juſtices order, in pain of 40 *l.*

XIII. **Stat.** 21 *H.* 8. 4. That part of the Executors which take upon them the charge of a Will may ſell any land deviſed by the teſtato

teſtator to be ſold, albeit the other part, which refuſe, will not joyn with them.

XIV. Stat. 43 El. 8. If any perſon ſhall obtain any goods or debts of an Inteſtate, or releaſes or other diſcharge of any debt or duty: (which belonged to the Inteſtate) by fraud (as by procuring the adminiſtration to be granted to a ſtranger of mean eſtate, and not to be found, with intent thereby to obtain the Inteſtate's eſtate) and not upon valuable conſideration, or in ſatisfaction of ſome juſt debt anſwerable to the value of the goods ſo obtained, in ſuch caſe ſuch perſon ſhall be chargeable as executor of his own wrong, ſo far as the value of the goods or debts ſo obtained ſhall amount unto: Howbeit he ſhall alſo be allowed ſuch reaſonable deductions, as other Executors or Adminiſtrators ought to have.

Exigent and Utlawry.

I. Stat. 5 E. 3. 12. Where the Plaintiff recovers damages, and the Defendant is thereupon outlawed, no pardon ſhall be granted, except the Chancellor be certified, that the Plaintiff is ſatisfied his damages.

II. Where one is outlawed by proceſſes before apparence, no pardon ſhall be granted, except the Chancellor be certified, that the perſon outlawed hath yielded himſelf to Priſon before the Juſtices of the place, from whence the *Exigent* iſſued.

III. If the outlawry happen to be before the Juſtices of *Oyer* and *Terminer* and thoſe Juſtices be riſen before he yield himſelf before them, in that caſe he ſhall do it in the King's Bench. And then the record thereof being removed thither by writ, a *Scire facias* ſhall iſſue to the Plaintiff to warn him to appear at a certain day; at which if the warning be duly executed, and the Plaintiff appear, then ſhall they plead upon the firſt original, as though no outlawry had been; but if he come not, the outlawed perſon ſhall be delivered by his Charter; and note that all ſuch Charters are of the King's grace as before they have been.

IV. Stat. 5 E. 13. If any will defeat an Outlawry by reaſon of impriſonment teſtified by the Sheriff, or others having no record let the party yield himſelf to priſon, and then the Juſtices ſhall cauſe the Plaintiff to appear at a certain day, at which day the averment of ſuch outlawed perſon ſhall be received, and ſo alſo ſhall the King's Councel or proſecutor have their averment againſt ſuch teſtimony.

V. Stat. 18 E. 3. *Stat.* 1. *E igents* are to be awarded againſt Receivers of the King's money or wooll, which detain the ſame, and

againſt

againſt ſuch as tranſport wool not cockered or cuſtomed, confederators and conſpirators of quarrels, rioters, and ſuch as bring in falſe money, if they cannot be found or brought in by attachment or diſtreſs, and not againſt any other.

VI. **Stat.** 18 *E.* 3. *Stat.* 2. 5. No *Exigent* ſhall go forth againſt one indicted for treſpaſs, unleſs it be againſt the Peace, or of the things contained in 18 *E.* 3. *Stat.* 1.

VII. **Stat.** 6 *H.* 8. 4. In perſonal actions, if the defendant is ſued in a County where he dwells not; and an *Exigent* awarded thereupon, no outlawry ſhall be had before a writ of Proclamation be alſo awarded, and returned by the Sheriff of the County, where the Defendant is or lately was dwelling, and if the Defendant dwell in the place where the King's Writ runneth not, it ſhall be directed to the Sheriff of the County next adjoyning thereunto.

VIII. By this Writ the Sheriff ſhall make three Proclamations at three ſeveral days, viz. twice in full County, and one at the general Seſſions, that the defendant ſhall yield himſelf unto him; and it ſhall have the ſame day of return with the *Exigent*.

IX. This Writ ſhall be delivered of record to the Sheriff or his Deputy, who ſhall duly execute the ſame, in pain of amerciament, and the officer that makes the *Exigent* ſhall alſo make the writ of Proclamation, for which his fee is 6 d.

X. All outlawries otherwiſe obtained are *null*, and may be voided by averment without ſuing of any writ of errour.

XI. **Stat.** 1 *E.* 6. 10. The Statute of 6 *H.* 8. 4. ſhall be obſerved in *Wales* and in the County and City of *Cheſter*, as well as in other parts of the Realm of *England*.

XII. The Sheriff of *Wales*, and of *Cheſhire* and *Cheſter* ſhall have Deputies in the King's Bench and Common Pleas, as other Sheriffs have, and upon like penalties.

XIII. All proceſſes againſt any outlawed perſon in *Wales* ſhall be directed to the Sheriffs in *Wales* as immediate officers to the King's Bench and Common Pleas, and may be delivered of Record to their ſaid Deputies in Court, and ſhall be duly executed and returned by thoſe Sheriffs upon the pain above limited, who ſhall alſo for a falſe or non-return forfeit 5 l. to be divided betwixt the King and the proſecutor.

XIV. This Act ſhall not infringe any franchiſes and liberties in *Wales*, otherwiſe then by the true meaning thereof is provided: Nor yet of any Lord Marcher there, but that they and their heirs may injoy the ſame liberties as before.

XV.

XV. Stat. 5 & 6 E. 6, 26. The like Statute is made for the County palatine of *Lancaſter*: ſave onely, that all proces againſt any outlawed perſon there, ſhall be firſt directed to the Chancellor of that Dutchy, who ſhall thereupon make like writs and proceſſes to be ſealed with that ſeal, and directed to the Sheriff of that County Palatine, as heretofore hath been uſed.

XVI. Stat. 31 *El.* 3. In every action perſonal where an *exigent* ſhall be awarded, a writ of Proclamation ſhall be alſo awarded, and iſſue out of the ſame Court, of the ſame *teſte*. and return with the *exigent*, and ſhall be delivered of Record and directed to the Sheriff of the County; where the defendant at the time of the *exigent* was dwelling, and ſhall contain the effect of the ſame Action.

XVII. The Sheriff ſhall thereupon make three Proclamations *viz.* one in a full County, another at the Seſſions, and the laſt (one moneth at leaſt before *Quinto Exact.* by vertue of the exigent) at or near the Church or Chappel-door of the Pariſh where the defendant was dwelling at the time of awarding the ſame exigent, upon a Sunday after Divine ſervice and Sermon, or (in caſe there be no Sermon) after Divine ſervice: And if he dwell in no pariſh, then in the Pariſh next adjoyning his place of abode; and all outlawries otherwiſe had ſhall be void.

XVIII. The officer for making the *exigent* and Proclamations, may take ſuch fees for the ſame, as are limited by the Statute of 6 *H.* 8. 4. and the Sheriff for making the Proclamation at the Church door ſhall have 12 *d.*

XIX. In real actions after ſummons upon the land (14 days at leaſt before the return thereof) Proclamation of the ſummons ſhall be made upon a Sunday in form aforeſaid, in the Pariſh where the land lies, which Proclamation ſhall be returned with the name of the ſummoners.

XX. If the ſummons be not ſo proclaimed, no *Grand cape* ſhall be awarded, but an *Alias* and *Pluries* ſummons, untill a ſummons and Proclamation be duly made according to this Act.

XXI. Before allowance of a writ of Errour or reverſing of an outlawry by plea or otherwiſe, the defendant in the original action ſhall put in bail, to appear and anſwer the Plaintiff, and alſo to ſatisfie the condemnation, if the Plaintiff begin his ſuit before the end of two terms next after the allowance of the ſaid writ, or avoiding the Outlawry.

Extortion.

I. West. 1. 26. 3 E. 1. No Sheriff or other Officer of the King shall take any reward to do his office, but shall be paid by the King: and if they do so, he shall render the double, and be punished at the King's will.

II. West. 1. 27. 3 E. 1. Clerks shall not commit extortion, in pain to lose the service of their Master for one year.

III. West. 1. 29. 3 E. 1. Officers, Cryers of fee, and Marshals of Justices in Eyre shall not commit Extortion, , in pain to render the treble, and to be otherwise punished at the King's will.

IV. Stat. 28 H. 6. 5. Merchants being distrained or arrested by Officers of the Custom for undue charges and impositions, may have their general actions of trespass against such offenders, and shall in that case recover 40 l. damages, if they pursue their actions within two moneths.

V. If they pursue them not within that time, any other may do it by Action of Trespass also, wherein they shall also recover 40 l. damages, to be divided betwixt the King and such prosecutor.

Fairs and Markets.

I. THe Statute of *Winchester*, *cap.* 6. 13 E. 1. Fairs and Markets shall not be kept in Church-yards.

II. Stat. 2 E. 3. 15. No person shall keep a Fair longer then he ought to do, in pain to have it seised into the King's hand, until he have made fine for so doing.

III. Every Lord at the beginning of his Fair shall cry and publish how long it shall indure, in pain to be grievously punished.

IV. Stat. 5 E. 3. 5. Merchants after the Fair ended shall close their shops, and sell no ware then after, in pain to forfeit to the King the double value of the ware so sold, whereof the prosecutor shall have a fourth part.

V. Stat. 27 H. 6. 5. Fairs and Markets shall not be kept upon *Ascention-day*, *Corpus Christi*, *Whitsunday*, *Trinity-sunday*, the Assumption of the Virgin *Mary*, *All-saints*, *Good-friday*, nor any Sundays

days (the four Sundays in Harveſt onely excepted;) in pain to forfeit the wares ſo ſhewed to the Lord of the Franchiſe there.

VI. Howbeit they may be kept within 3 days next before or after the ſaid days, Proclamation thereof being made before-hand, which is to be certified without fine or fee to the King. And ſuch as have by ſpecial grant ſufficient days before or after the ſaid Feaſt, may keep them their full number.

VII. Stat. 17 *E.* 4. 2. No Steward of a Pipowder Court ſhall hold plea upon any Action, unleſs the Plaintiff or his Attorney in the preſence of the defendant do firſt ſwear, that the matter of the Declaration was done within the juriſdiction and time of the Fair, And yet the defendant may nevertheleſs profer an iſſue againſt ſuch oath: and if it be tried, or the Plaintiff or his Attorney refuſe to ſwear, the defendant ſhall be diſcharged.

VIII. If any ſuch Steward do contrary to this Act, he ſhall forfeit five pound, to be divided betwixt the King and the proſecutor.

IX. This Act ſhall not prejudice the liberties of the Biſhop of *Dureſm.*

X. Stat. *R.* 3. 6. The Statute of 17 *E.* 4. 2. is made perpetual.

XI. Stat. 3 *H.* 7. 9. Upon an Ordinance made by the City of *London*, to prohibit Citizens to carry their wares, to Fairs and Markets out of the City, this Act gives them liberty, and makes that Ordinance void, and none ſhall trouble any Citizen for ſo doing, in pain of 40 l. to be divided betwixt the King and the proſecutor.

*XII. Stat. 2. 3. *P. M.* 7. Every owner of a Fair or Market ſhall appoint a Toll-taker, (where Toll is taken) or a Book-keeper where no Toll is paid) to ſit there from ten of the clock in the fore-noon till Sun-ſet, in pain of 40 s. for every default.

XIII. The Toll-taker or Book-keeper ſhall (within one day after) deliver unto the ſaid owner, a note of all the Horſes ſold there that day, in pain of 40 s. which note the owner ſhall ſubſcribe, in like pain of 40 s.

XIV. Sale of a ſtoln Horſe in a Fair or Market without entry in the Book, as aforeſaid, and without ſtaying there in open view by the ſpace of an hour, at leaſt, betwixt 10 of the clock and Sun-ſet ſhall not alter the property of the right owner; but that he may by vertue of this Act, ſeize or replevy him, whereſoever he finds him.

XV. ☞ Juſtices of Peace in Seſſions have power to hear and deter-

determine the breach of this Statute; and the forfeitures ſhall be divided betwixt the King and Queen's Majeſties and the Proſecutor.

XVI. Where no Toll is due, the Book-keeper's fee for entring every contract is 1 d. and no more.

XVII. Stat. 31 *El.* 12. Every ſeller or exchanger of an horſe in a Fair or Market, which being unknown to the Toll-taker or Book-keeper, doth not procure one credible perſon, that is well known unto him, to vouch the ſale of the ſame horſe; alſo every falſe voucher, and the Toll-taker or Book-keeper that ſuffers ſuch ſale or exchange to paſs, ſhall forfeit 5 l. to be divided betwixt the Queen and the proſecutor. And beſides, the ſale of ſuch horſe ſhall be void.

XVIII. The names of the buyer, ſeller and voucher, and the price of the horſe ſhall be entred in the Toll-book, and a note thereof delivered to the buyer under the Toll-takers or Book-keepers hand, for which the buyer ſhall pay 2 d.

XIX. Juſtices of Peace in Seſſions have power to hear and determine theſe offences.

XX. Notwithſtanding ſuch ſale and voucher, as aforeſaid, the right owner or his executors may redeem a ſtoln horſe, if they claim him within ſix moneths after the Sieating at the Pariſh or Corporation where he ſhall find him, and make proof by two ſufficient witneſſes before the next Juſtice of Peace in the Country, or before the Head-officer of a Corporation, that the horſe was his, and repay to the buyer ſuch price for the horſe, as the ſame buyer ſhall upon his own oath, before ſuch Juſtice or Officer, teſtifie to have paid for him.

XXI. An acceſſary of an horſe-ſtealer ſhall not have his Clergy.

False Judgment.

I. Marlb. 20. 52 *H.* 3. None but the King ſhall hold plea of falſe judgment.

II. Stat. 1 *E.* 3. 4. If againſt a Record brought into the King's Court by writ of falſe judgment, the party alledgeth that the Record is otherwiſe then the Court did record the ſame, it ſhall be tried by thoſe of the Countrey who were preſent when the Record was made, but if they appear not upon the Sheriff's return of them with other, it may be tryed by other good men of the Country.

Fees.

I. West. 2. 42. 13 E. 1. Several ancient fees of Marſhals, Chamberlains, Porters of Juſtices in *Eyre*, and Serjeants bearing verge before the Juſtices at *Weſtminſter*. *See the Statute.*

II. West. 2. 44. 13 E. 1. Porters bearing verge before the Juſtices of the Bench in the Circuit ſhall take for keeping a Jury onely 10 d. for the Bills nothing: Upon a recovery without a Jury nothing, upon a Recovery againſt many by one Writ 4 d. for homage done in the Bench they ſhall have their upper garment. Of great Aſſizes, Attaints, Juries, and Battel waged, the fee is 12 d. For the pleas of the Crown, the fee is 12 d. the dozen. For every priſoner delivered 4 d. The Chirographer's fee is 4 s. The Clerk's fee for writing Originals is for every Writ 1 d. *See the Statute.*

Feoffments.

I. Stat. 1 R. 2. 9. Every gift of Feoffment of Lands made by fraud or maintenance ſhall be void; and the diſſeiſee (notwithſtanding ſuch alienation) ſhall recover againſt the firſt diſſeiſor both his land and double damages; provided he commence his ſuit within a year after the diſſeiſin, and that ſuch feoffor be then Pernor of the profits.

II. Stat. 4 H. 4. 7. The diſſeiſee ſhall have his action againſt the firſt diſſeiſor, during the life of the ſame diſſeiſor, ſo as ſuch diſſeiſor be alſo Pernor of the profits at the time of ſuch ſuit commenced, but as to other Writs in plea of Land, the Demandant ſhall commence his ſuit within the year againſt him that is Tenant of the free-hold, at the time of the Action accrued to him, ſo as ſuch tenant be alſo Pernor of the profits at the time of ſuch ſuit commenced; notwithſtanding the Statute of 1 R. 2 9.

III. Stat. 11 H. 6. 3. In all Writs grounded upon *Novel diſſeiſin*, Diſſeiſees may have recoveries againſt the diſſeiſors of their feoffees, as well as in Aſſize of *Novel diſſeiſin*, ſo as ſuch diſſeiſors or their feoffees, againſt whom the Writ is brought, be Pernors of the profits at the time of the Writ purchaſed, notwithſtanding any gifts or feoffments made to other perſons to delay the demandants.

☞ Felony.

☞ Felony.

I. Magn. 1. 14. 3 E. 1. Notorious felons which refuſe lawful tryal, ſhall ſuffer ſtrong and hard impriſonment.

II. Stat. Of breaking priſon, 1 E. 2. it ſhall be felony for any perſon to break priſon, being in for felony, otherwiſe not.

III. Stat. 5 H. 4. 4. It is felony to multiply gold or ſilver.

IV. Stat. 5 H. 4. 5. It is felony maliciouſly to cut out the tongue or put the eyes of any of the King's Subjects.

V. Stat. 1 H. 7. 7. If any ſhall hunt within Forreſts, Parks, or Warrens in the night-time or diſguiſed, one of the King's Council or a Juſtice of Peace to whom information thereof ſhall be made, ſhall by his warrant cauſe the offendor to be brought before himſelf, or ſome other Councellor or Juſtice of Peace to be examined; where if he conceal the fact, ſuch hunting ſhall be deemed felony; but being confeſſed, the offence is onely finable at the next general Seſſions. And here a reſcouſe of the execution of any ſuch warrant ſhall be alſo deemed felony.

VI. Stat. 3 H. 7. 2. It is felony to carry away a woman, wife, widow or maid againſt her will, having lands or goods, or being heir apparent to her Anceſtors: And the Procurators, abettors and receivers in ſuch an offence ſhall be alſo deemed principal felons: Howbeit this ſhall not extend to any that takes a woman, claiming her as his ward or bond-woman.

VII. Stat. 3 H. 7. 14. It is felony for any of the King's ſervants ſworn, to conſpire the deſtroying of the King, any Lord, Privy-Councellor ſworn, Steward, Treaſurer or Controller of the King's houſhold, being thereof convicted by twelve of the ſaid Houſhold before the ſaid Steward, Treaſurer and Controller, or two of them, who have power to determine the matter according to law.

VIII. Stat. 21 H. 8. 7. Servants that go away with, or otherwiſe embezil their maſters or miſtreſſes goods to the value of 40 s. worth, with an intent to ſteal them (being put in truſt therewith) ſhall be puniſhed as felons: To continue till the next Parliament, but *ſee the Statute.*

IX. Stat. 22 H 8. 11. It ſhall be felony to break down Powdike in *Marſhland* in *Norfolk*, or *Oldfield* Dike by *Marſhland*, in the Iſle of *Ely*.

X. Juſtices of Peace there have power to hear and determine the ſaid offence.

XI. Stat. 25 H. 8. 6. Buggery is made felony, and the

offender therein ſhall not have his Clergy.

XII Juſtices of Peace have power to enquire of, hear and determine this offence.

XIII. This Statute was but to continue till the next Parliament, *Vide infra.*

XIV. **Stat.** 1 *E.* 6. 12. Wilful killing, by poyſoning ſhall be adjudged Murther, and their Aiders, Abettors, Procurers, and Counſellors ſhall ſuffer death, and forfeit, as in caſes of wilful Murther.

XV. All offences made felony by Statutes ſince 23 *April*, 1. *H.*8 not being felony before are repealed: *Howbeit divers of them are revived by other Statutes made ſince that time.*

XVI. **Stat.** 1 *M. Seſſ.* 1. All offences made felony, or within the caſe of *Præmunire* by any Act ſince the firſt day of 1 *H.* 8. (not being felony, or within the caſe of *Præmunire* before) and every branch of ſuch Acts concerning the making of any offence felony, or within the caſe of *Præmunire*, (not being ſo before) and all paine and forfeitures concerning the ſame are repealed and made void: *But diverſe of thoſe Acts have been ſince revived, which ſee in their proper places.*

XVII. **Stat.** 5 *El.* 10. The Statute of 21 *H.* 8. 7. is revived and made perpetual.

XVIII. **Stat.** 5 *El.* 17. The Statute of 21 *H.* 8 6. is revived and made perpetual.

XIX. **Stat.** 43 *El.* 13. In the Counties of *Cumberland*, *Northumberland*, *Weſtmerland*, and the Biſhoprick of *Durham*, the carrying away or detaining of any perſon againſt his or her will, the aſſenting or aiding to any ſuch taking or detaining, the receiving or carrying of *Black mail*, the giving of *Black mail* for protection, or the burning of Barns, or Stacks of Grain, ſhall be adjudged felony without Clergy, which the Juſtices of Aſſize, Gaol-delivery and Peace, have power to hear and determine.

XX. The names of perſons outlawed there for felony ſhall be delivered by the Clarks of the peace, to all Sheriffs, Mayors, and other head Officers to be proclaimed throughout all the ſaid Counties: & with them none ſhall have converſe, in pain to ſuffer 6 moneths impriſonment, & not to be inlarged, till ſurety be given for the good behaviour, during one whole year after ſuch impriſonment.

XXI. Juſtices of Aſſize, Gaol delivery, *Oyer* and *Terminer*, and of Peace, have power to puniſh the negligence of Officers in this behalf.

XXII. This Act ſhall not impeach the authority of the Lord Wardens of the Marches.

XXIII.

XXIII. Stat. 21 *Jac.* 26. It is felony without benefit of clergy, to acknowledge or procure to be acknowledged, any Fine, Recovery, Deed enrolled, Statute, Recognizance, Bail, or Judgment in the name of any perſon not privy or conſenting thereunto; howbeit this offence ſhall not corrupt the blood, nor take away dower; neither ſhall it extend to judgment acknowledged by an Attorney of record for another perſon.

Fens, See Marſhes.

☞ Feſants and Partridges

* I. Stat. 11 *H.* 7, 17. None ſhall take Feſants or Partridges with engines in anothers ground without licence, in pain of 10 l. to be divided betwixt the owner of the ground and the proſecutor.

II. None ſhall take out of the neſt any eggs of Faulcon, Goſhawk, Lanner or Swan, in pain of a year and a days impriſonment, and to incur a fine at the Kings pleaſure, to be divided betwixt the King and the owner of the ground, where the eggs ſhall be ſo taken.

III. None ſhall bear any Hawk of engliſh breed called an Eyeſſe, Goſhawk, Taſſel, Lanner, Lanneret or Faulcon, in pain to forfeit the ſame to the King.

IV. He that brings an eyeſſe Hawk from beyond the Sea, ſhall have a Certificate under the Cuſtomer's Seal where he lands, or if out of *Scotland*, then under the Seal of the Lord warden or his Lieutenant; teſtifying that ſhe is a foreign hawk, upon the like pain of forfeiting the Hawk.

V. None ſhall take, kill or fear away any of the hawks aboveſaid from the Coverts, where they uſe to breed, in pain of 10 l. to be recovered before Juſtices of Peace, and divided betwixt the King and the proſecutor.

☞ VI. Stat. 23 *El.* 10. None ſhall kill or take any Feaſants or Partridges with any net or engine in the night time, in pain to forfeit for every Feaſant 20 s. and for every Partridge 10 s. which if the offender pay not within 10 days, he ſhall ſuffer one moneths impriſonment without bail, and enter into bond, (for two years onely) without good ſureties before ſome Juſtices of Peace not to offend in the like kind.

VII. The forfeiture aforeſaid ſhall be recovered in any Court of Record. and divided betwixt the Lord of the Liberty or Manor

where the offence is committed, and the Proſecutor; but in caſe the Lord ſhall diſpence with the offender, the poor of the Pariſh are to have his moyety to be recovered by any of the Church-wardens.

VIII. None ſhall hawk or hunt with his Spaniels in ſtanding grain, or before it is ſtacked (except in his own ground, or with the owners conſent) in pain to forfeit 40 s. to the owner of the ſaid ground, to be recovered as aforeſaid.

IX. Juſtices of Aſſize, Juſtices of Peace in Seſſions, and (afterwards) Stewards in Leets have power to hear and determine theſe offences, and one Juſtice of Peace may examine ſuch an offender, and bind him over with good ſureties to anſwer it at the next general Seſſions, if the offence be not before determined at the Aſſizes or in a Leet.

X. This Act ſhall not reſtrain Fowlers, which unwillingly take Feſants or Partridges, and forthwith let them go at large.

XI. Stat. 1 *Jac.* 27. Every perſon convicted by his own confeſſion, or by two witneſſes upon oath, before two or more Juſtices of Peace, to have killed or taken any Feſant, Partridge, Pigeon, Duck, Heron, Hare, or other game, or to have taken or deſtroyed the eggs of Feſants, Partridges or Swans, ſhall by the ſaid Juſtices be committed to Priſon without bail, unleſs he immediately pay to the uſe of the poor, where the offence was committed, or be apprehended 20 s. for every Fowl, Hare or Egg ſo killed, taken or deſtroyed; ☞ and after one moneths commitment, ſhall before two or more Juſtices of Peace be bound with two ſufficient ſureties in 20 *l.* apiece, with condition never to offend in the like kind again.

XII. Every perſon convicted as aboveſaid, to keep a Grey-hound, Dog or Net to kill or take Deer, Hare, Feſant or Partridge (unleſs he have inheritance of 10 *l. per annum*, a leaſe for life of 30 *l. per annum*, or be worth 200 *l.* in goods, or otherwiſe be the ſon of a Baron or Knight, or Heir apparent of an Eſquire) ſhall ſuffer impriſonment, as aforeſaid, unleſs he pay 40 s. to the uſe aboveſaid.

XIII. None ſhall ſell or buy to ſell again any Deer, Hare, Feſant or Partridge (except Feſants or Partridges by them reared up or brought from beyond Sea, in pain to forfeit for every Deer 40 s. Hare 10 s. Feſant 20 s. and Partridge 10 s. to be divided betwixt the proſecutor and the poor of the Pariſh where the offence is committed.

XIV Juſtices of Aſſize, Juſtices of Peace in Seſſions, and two

of

or more Juſtices of Peace out of Seſſions have power to hear and determine theſe offences.

XV. None ſhall by any former law ſuffer puniſhment for the ſame offences, for which he ſhall be puniſhed by this Law.

XVI. This Act ſhall not reſtrain one licenſed in open Seſſions to kill Hawks meat; but then he ſhall there become bound by recognizance in 20 *l.* not to kill any of the games prohibited by this law, nor to ſhoot within 600 paces of an Hearnry, within 100 paces of a Pigeon-houſe, or in a Park, Forreſt or Chaſe, whereof his Maſter is not owner or keeper: and the Clerk of the Peace his fee for ſuch a licenſe is 12 d.

*XVII. **Stat. 7 *Jac.* 11.** Every perſon convicted by his own confeſſion, or by two witneſſes upon oath before two or more Juſtices of Peace to have hawked at or deſtroyed any Feſant or Partridge betwixt the firſt of *July* and the laſt of *Auguſt*, ſhall ſuffer one moneths impriſonment without bail, unleſs he forthwith pay to the uſe of the poor where the offence was committed, or be apprehended, 40 s. for every time ſo hawking, and 20 s. for every Feſant or Partridge ſo deſtroyed or taken.

XVIII. He that ſhall be puniſhed by this Law, ſhall not be puniſhed again by any other Law for the ſame offence.

XIX. This offence ſhall be proſecuted within ſix moneths after it ſhall be committed.

XX. It ſhall be lawful for the Lord of a Manner, or any having free Warren, inheritance of 40 *l. per annum*, free-hold of 80 *l. per annum*, or goods worth 400 *l.* or their ſervants (licenſed by them) to take Feſants or Partridges within their own grounds or Precinct: ſo they do it in the day time, and onely betwixt *Michaelmas* and *Chriſtmas*.

☞ XXI. If any of a mean condition ſhall be convicted by his own confeſſion, or by one witneſs upon oath before two or more Juſtices of Peace to have killed or taken any Feſant or Partridge, with dogs, nets, or engines, he ſhall by the ſaid Juſtices be committed to priſon without bail, unleſs he forthwith pay to the uſe of the poor where the offence was committed, 10 s. for every Feſant or Partridge ſo killed or taken: and alſo become bound before one or more Juſtices of Peace in a recognizance of 20 *l.* never to offend in the like kind again.

XXII. Every Conſtable or Headborough (upon a warrant under the hands of two or more Juſtices of Peace) hath power to ſearch the houſes of perſons ſuſpected to have any ſetting-dogs or nets for the taking of Feſants or Partridges, and the dogs or nets there

found to kill and cut in pieces, at pleasure, as things forfeited unto the said officers.

Fighting and Quarrelling.

*I. Stat. 5. 6. E. 6. 4. None shall use any chiding words in the Church or Church-yard, in pain of suspension for so long time, as the Ordinary shall think fit, *viz.* of a Lay-man *ab ingressu Ecclesiæ*, and of a Clark, *à Ministerio officii*.

II. He that shall there smite or lay violent hands upon any one is thereby excomunicated *ipso facto*.

III. He that is convicted of striking with a weapon there (or of drawing it with an intent to strike) before Justices of Assize, of *Oyer* and *Teyminer*, or of Peace in Sessions by verdict, his owne confession, or two lawful witnesses, shall by judgment of the said Justices have one of his ears cut off, and in case he wants ears, shall be burned upon the cheek with the letter F. and shall stand excommunicate *ipso facto*.

Fines.

I. Stat. *de finibus*, 18 E. 1. *Stat.* 4. After the writ original is delivered in the presence of the parties before the Justices, the pleader shall say, Sir Justice, *Conge de accorder*, then the Justice, shall say, what saith Sir *R.* And when the King's fine is agreed for, and the peace cried, the Pleader shall declare the substance of the fine.

II. A final concord cannot be levied in the King's Court without writ original before four Justices in the Bench, or *Eyre*, and it must also be in the presence of the parties, who ought to be of full age, of good memory, and out of prison; and if a feme covert be one, she must be examined by four of the said Justices, and if she consent not, the fine cannot be levied.

III. The reason of such solemnity in the taking of a fine, is, because it bars all persons, of full age, out of prison, of good memory and within the four Seas, the day of the fine levied, if they make not their claim of their Action within a year and a day by the Countrey.

IV. Stat. *De finibus levatis*, 27 E. 1. *Stat.* 1. It shall be no good exception to a fine, that before or at the time of the fine levied, the demandant or his ancestors were seized of the land contained in the fine, or of some part thereof.

V. Fines shall be openly read at two certain days in the week by the

the diſcretion of the Juſtices, and in the mean time all Pleas ſhall ceaſe.

VI. The *Statute of Carliſle*. 15 *E.* 2. In Pleas of *warrantia Chartæ*, covenant or other, whereupon fines are to be levied before the Juſtices of the bench, as well the demandants as tenants (before ſuch fines paſs) ſhall appear perſonally, to the end their age, idiocy, and other defects (if any be) may be diſcerned.

VII. If the party be notable to come before the Juſtices in the Court, then two or one of them (by the aſſent of the reſt) ſhall go to the party and receive this Cognizance: and if but one go, he ſhall take with him an Abbot, Prior, or Knight being of good fame and credit.

VIII. The Commiſſioners that take the Cognizance, ſhall make certificate thereof to the Juſtices, to the end the fine may be lawfully levied according to the former Ordinance.

IX. Neither the Barons of the Exchequer, nor the Juſtices ſhall admit any Attorneys ſave onely in Pleas, that paſs before them, neither ſhall any of their Clerks or ſervants ſo do, and every admiſſion otherwiſe ſhall be void.

X. The authority of the Chancellor and of the chief Juſtices for admitting Attorneys as hath been heretofore obſerved is ſaved.

XI. **Stat.** 3 *E.* 34. 16. The plea of *Non claim* of fines ſhall be no bar hereafter.

XII. **Stat.** 38 *E.* 3. *Stat.* 1. 3. Fines taken before the Juſtices ſhall be in the preſence of the pledges, who ſhall know the ſumm of their fine, before they depart.

XIII. **Stat.** 5 *H.* 4. 14. To prevent the damages that may happen by the embezling of the feet and notes of fines, all writs of Covenant, and other writs whereupon fines are levied, together with the *Dedimus poteſtatem*, if any be and all knowledges and notes of the ſame, before they be drawn out of the Common bench by the *Chirographer*, ſhall be recorded in a Roll, to remain with the chief Clerk, of that Court for the old fee of 22 pence uſually paid to him for entring the Concord, to the end that in caſe any notes or fines be embezled the party may have recourſe to the ſaid Roll, to have execution thereof.

XIV. **Stat.** 1 *R.* 3. 7. A fine ſhall after the ingroſſing thereof be openly read and proclaimed in the Common Pleas, the ſame term, and there the three next terms after upon four ſeveral days, and in the mean time all the Pleas ſhall ceaſe,

XV. A tranſcript of the fine ſhall be ſent to the Juſtices of aſſize of the County where the land lyeth, to be there alſo proclaimed at every Aſſize holden there that year, & then alſo all pleas ſhal ceaſe.

XVI.

XVI. Another tranſcript thereof ſhall be alſo ſent to the Juſtices of Peace of the ſame County, to be in like ſort proclaimed at their four Seſſions holden that year: and both the Juſtices of Aſſize and Peace ſhall make Certificate of ſuch Proclamation made, the ſecond return of the term then next following.

XVII. A fine ſo proclaimed and certified ſhall conclude all perſons, buth Privy and Strangers (except women covert other then ſuch women as the parties to the fine, perſons under age, in priſon, out of the Realm, or not of ſound mind) if they purſue not their right, title, claim or intereſt by way of action or lawful entry within five years after the proclamation ſo made and certified, as aforeſaid.

XVIII. The right of Strangers, which happens to come unto them after the fine is ingroſſed, is ſaved; ſo that they lawfully purſue their right or title within five years after it ſo comes to them, and here, an Action againſt the pernor of the profits is mainable.

XIX. If the parties to whom ſuch right or title comes, be covert, under Age, in priſon, out of the Land, or not of *ſane* memory, they or their heirs have time to purſue their right or title within five years after ſuch imperfections removed; ſo alſo have they in caſe they had right of title at the time of the fine levied.

XX. Fines at the Common Law have the ſame force they had before, and a fine may be levied according to this Statute; or the Common-Law, at the election of the parties.

XXI. **Stat.** 4 *H.* 7. 24. Every fine after the ingroſſing ſhall be proclaimed in the Court the ſame term and the three next, four ſeveral days in every term, and in the mean time all Pleas ſhall ceaſe.

XXII, The Proclamations being ſo made, the fine ſhall conclude all perſons both privies and ſtrangers, except women covert, perſons under age, in priſon, out of the Realm, or of *non-ſane* memory, being not parties to the fine.

XXIII. The right and intereſt that any perſon or perſons (other then parties) hath or have at the time of the fine ingroſſed, is ſaved ſo that they or their heirs purſue ſuch their right or intereſt by action or lawful entry within five years after the Proclamations ſo made: ſo alſo is the right and intereſt ſaved, which accrues after the ingroſſing of the fine, ſo that the parties having the ſame purſue it within five years after it ſo accrues, and in this caſe the Action may be brought againſt the Pernor of the profits.

XXIV. If at the time of the fine ingroſſed, or of ſuch accruer, as aforeſaid, the perſons be covert (and no parties to the fine) under

der age, in prison out of the Realm, or of *none sane* memory, they or their heirs have time to pursue their Actions within five years after such imperfection removed.

XXV. The exception, that none of the parties nor any to their use had any thing in the lands at the time of the fine levied, is saved to all persons, except parties and privies.

XXVI. Fines at the Common Law have the same force they had before the making of this Act: and a fine may be levied this way, or at the Common Law, at the pleasure of the parties.

XXVII. **Stat.** 32 *H.* 8. 36. All fines levied by any person or persons of full age of Lands intailed before the same fine, to themselves, or to any of their Ancestors, in possession, reversion, remainder or use, shall immediately after the fine ingrossed and proclamations made, be a sufficient bar against them and their heirs, claiming onely by such entail, and against all other claiming onely to their use, or to the use of any heir of their bodies.

XXVIII. Howbeit this Act shall not bar the interest of any persons accrued by reason of any fine levied by a woman, after her husbands death, contrary to the Statute of 11 *H.* 7. 20.

XXIX. A fine levied by him, who is restrained by any express Act of Parliament so to do, shall be void, notwithstanding this Act.

XXX. This Act shall not extend to any fine heretofore levied of lands now in suit, or heretofore lawfully recovered in any Court by judgement, or otherwise: nor to any fine of Lands intailed by the Kings Letters-Patents, or any Act of Parliament, the reversion thereof at the time of such fine levied being in the King.

XXXI. **Stat.** 37 *H.* 8. 19. Fines levied before the Justices of Assize at *Lancaster*, or one of them, and openly read and proclaimed at the three several Sessions before the said Justices, or one of them, of lands lying within that County Palatine; *viz.* upon three several days in the Sessions when the fine is ingrossed, and three other several days in each of the two Sessions then next following, shall be of like force as fines acknowledged before the Justices of the Common Pleas.

XXXII. **Stat.** 2,3 E. 6. 28. This Statute ordains all fines of lands within the County Palatine of *Chester*, to be of like force with those of the Common Pleas, being proclaimed before the high Justice there, or his Deputy, in like sort as those of *Lancaster* are proclaimed.

XXXIII. **Stat.** 1 *M. Parl.* 1. 7. All fines whereupon Proclamations are not duly made (by reason of the adjournment of any

term

term by Writ shall be good as if that term had been holden from the beginning to the end; and the Proclamations therein made, according to the Statute 4 *H*, 7. 24.

XXXIV. This Act shall not extend to any fine heretofore levied of lands now in suit, or heretofore lawfully recovered by Judgment or otherwise.

XXXV. **Stat.** 35 *El.* 2, Fines in the Common Pleas shall be proclaimed four times onely, *viz.* once in the Term wherein the fine is ingrossed, and once in each of the three Terms then next following.

☞ Fines to the King.

I. **Magna Chart.** 26, 9 *H.* 3. Nothing shall be given for a Writ of Inquisition, nor taken of him that prayeth Inquisition of life or member; but it shall be granted freely and not denied.

First-fruits and Tenths

I. **Stat.** 26 *H.* 8. 3. The first-fruits and profits for one year of every spiritual living is granted to the King, which every spiritual person shall pay or secure by bond before his actual possession of his Benefice.

II. Search for the value of Benefices, and composition for the First-fruits thereof shall be made by the Lord Chancellor, Masters of the Rolls, and other Commissioners to be appointed by the King for that purpose, and the money and securities taken upon such Compositions, made before the Chancellor and Master of the rolls only, shall be paid and delivered unto the Clerk of the Hanaper, for which he shall render account, as he useth to do for other profits of the Great Seal, but being made before other Commissioners shall be paid and delivered unto the Treasurer of the King's Chamber, or such other person or persons as the King shall authorize under the Great Seal for that purpose to receive the same.

III. Acquittances for the receit of any money paid for First-fruits under the hands of the Clerk of the Hanaper, Treasurer of the King's Chamber, and the Commissioners or any of them shall be a sufficient discharge for the same in any of the King's Courts.

IV. An obligation for First-fruits shall be of like force as a Statute-staple, and no more shall be so taken for such an Obligation then 8 d. and 4 d, for an Acquittance.

V. The

V. The Commiſſioners ſhall every ſix moneths deliver by Indenture unto the Treaſurer, or other perſon or perſons authorized as aforeſaid, ſuch money and ſpeciaties as they ſhall receive; and in caſe they do not, or do conceal them, they ſhall forfeit their office and be fined at the Kings pleaſure.

VI. If any be convicted by preſentment, verdict, confeſſion, or witneſs before the Lord Chancellor or other Commiſſioners to have entred upon any ſpiritual living before payment or compoſition made as aforeſaid, he ſhall forfeit the double value of the First-fruits.

VII. All First-fruits heretofore payable to other perſons ſhall be from henceforth paid to the King.

VIII. Provided, that Biſhops may give inſtitution and induction, notwithſtanding this Act.

IX. A rent of penſion out of every ſpiritual living amounting to the tenth part of the annual value thereof ſhall be yearly paid unto the King at *Chriſtmas*, and the Collector thereof ſhall pay them in yearly before the firſt of *April*.

X. The Lord Chancellor ſhall appoint Commiſſioners in every Dioceſs for the Diſcovery of the yearly value of every ſpirituall living there and to make Certificate thereof, as alſo of ſuch deduction as are to be made out of the ſame, which Commiſſioners ſhal be aforehand ſworn by *Dedimus poteſtatem*, duely to execute their Commiſſions.

XI. Every ſpirituall perſon ſhall be charged for his tenth in the Dioceſs where he is, albeit their poſſeſſions lye elſewhere.

XII. Biſhops ſhall be charged with the Collection of all the tenths within their reſpective Dioceſſes, and ſhall make payment thereof yearly before the firſt of *April*, unto the Treaſurer of the King's Chamber, or other perſon authorized to receive the ſame. and upon non-payment thereof proceſs ſhall iſſue out of the Exchequer againſt them.

XIII. Biſhops ſhall have power to levy the Tenths by Cenſures of the Church, diſtreſs, or otherwiſe; and no replevin, prohibition, *ſuperſedeas*, or other writ or impediment ſhall be allowed to hinder the ſame.

XIV. During the vacation of a Biſhoprick the Dean and Chapiter ſhall be charged therewith.

XV. If tenths being due ſhall not be paid within 40 days after demand thereof made by the Biſhop or his officers, the Incumbent ſo making default after certificate thereof into the Exchequer under the ſeal of the Biſhop ſhall be adjudged deprived *ipſo facto* of all ſuch benefices as he hath at the time of ſuch certificate made, or

at

at any time after; and the Benefice or Benefices which he ſo hath, ſhall be adjudged void, as if he were dead.

XVI. The Biſhop making ſuch certificate ſhall be diſcharged of ſo much as is certified to be unpaid, for the recovery whereof proceſs ſhall iſſue out of the Exchequer againſt the Incumbent, his Executors or Adminiſtrators, or (rather then the King ſhould loſe it) againſt his Succeſſor.

XVII. The Acquittances of the Treaſurer of the Kings Chamber, or other Commiſſioners authorized to receive the tenth, and all ſuch certificates, as aforeſaid, ſhall be allowed in all Courts without further warrant.

XVIII. No Officer of the Exchequer ſhall take any thing of the Biſhop or his Collector, for his Account or *Quietus eſt*, in pain to loſe his office, and to be fined at the Kings will.

XIX. They which pay penſions to others out of their ſpiritual livings, may retain the tenth part thereof, and ſhall be therein protected by plea upon this Act.

XX. No penſion ſhall be reſerved upon the reſignation of a Benefice above the value of the third part thereof.

XXI. They who in one Corporation aggregate of many, have ſeveral and diſtinct poſſeſſions, belonging to their reſpective dignities ſhall onely pay for their own poſſeſſions, and not for thoſe of others.

XXII. No First-fruits ſhall be paid for a Benefice being not above the yearly value of eight marks, exeept the Incumbent live three years after his Induction or Collation thereunto, and there ſhall be an exception inſerted in the Obligation, that in caſe he live not out thoſe three years, the Obligation ſhall be void; but if he outlive them, the First-fruits ſhall be paid by him, his Executors or Adminiſtrators.

XXIII. Fees payable by any Biſhop or other Prelate for temporal Juſtice, ſhall be defaulked out of the valuation of their ſeveral dignities.

XXIV. **Stat.** 26 *H.* 8. 17. Farmers of ſpiritual perſons ſhall not be compelled to pay First-fruits or Tenths for their leſſors.

XXV. **Stat.** 27 *H.* 8 8. Every ſpiritual perſon at his entry into ſpecialty for the payment of his First-fruits ſhall have deduction of the tenth part thereof, in reſpect of the tenth which ſhall be by him payable that year.

XXVI. Where the laſt Incumbent leaves the tenth unpaid, the Succeſſor may diſtrain the ſaid Incumbents goods found upon the Benefice, and keep them until the Incumbent (if living) or (if dead) his Executors, Adminiſtrators, or other owner of the ſaid goods

goods ſhall ſatisfie the arrears; which if not done within twelve days, the goods may be appraiſed upon oath, and ſold for the ſatisfying thereof, together with reaſonable coſts, and in caſe there be no diſtreſs, the ſucceſſor may proſecute the Incumbent (if living) or if dead) his executors, adminiſtrators or other owner of his goods by bill in Chancery, or Action of debt for the recovery of the ſame.

XXVII. **Stat.** 32 *H.* 8. 22. If a Biſhop or any of his Deputies will make oath, that they cannot levy a tenth, they ſhall be diſcharged thereof upon their account in the Exchequer, which Court ſhall alſo have power to examine the truth thereof by witneſſes, or otherwiſe; and alſo to iſſue out Commiſſions, and to receive Certificates for that purpoſe.

XXVIII. If it be certified into the Exchequer by Commiſſion or otherwiſe, that any ſpiritual promotion is omitted out of the original Certificate of tenths, which ought to have been there inſerted; that Court ſhall have power to enter it into the ſaid original Record, to the end it may be from thenceforth chargeable therewith.

XXIX. **Stat.** 32 *H.* 8. 47. The Biſhop of *Norwich*, and his ſucceſſors ſhall collect the tenths of all ſpiritual promotions within his Diocеſs, notwithſtanding the Statute of 27 *H.* 8. (not printed) which did exempt them from the collection thereof.

XXX. **Stat.** 34 & 35 *H.* 8. 17. The tenths and penſions reſerved upon the parents of the five new Biſhops of *Cheſter*, *Gloceſter*, *Peterborough*, *Briſtol* and *Oxford*, ſhall be paid in the Court of the firſt-fruits and tenths, and not elſwhere: *But note that the Court was afterwards annexed to the Exchequer by divers Acts of Parliament, and Patents of* H. 8. *and* Q. Mary. *See* Courts.

XXXI. **Stat.** 2 & 3 *E.* 6. 20. The penalty for default of payments of tenths ſhall be the forfeiture of that onely Benefice, out of which the ſame is due, notwithſtanding the Statute of 26 *H.* 8. 3.

XXXII. **Stat.** 7 *E.* 6. 4. The Collectors of tenths ſhall before *Midſummer* next give good ſecurity to ſave the Biſhop harmleſs againſt the King.

XXXIII. The Biſhop ſhall have the laſt day of *May* for the payment of tenths, and for making Certificates for ſuch as have refuſed to pay them, notwithſtanding the Stat. of 26 *H.* 8. 3.

XXXIV. If a Benefice be void, ſo that no tenth can be there retained, the Biſhop (upon certificate) ſhall be diſcharged thereof; and then the King ſhall have it levied upon the Glebe by way of Seiſure.

XXXV. The Patent of a Collector of tenths, ſhall be good no longer then during the continuance of the Grantor in the See.

XXXVI. **Stat.** 1 *El.* 4. The Firſt-fruits and tenths reſtored to the

the Crown; the Statutes preſcribing the grant and order of them re-continued; tho Statute of 2 & 3 of *P & M.* 4. (by which they were taken away) repealed: and they ſhall from henceforth be within the Survey of the Court of Exchequer.

XXXVII. All Advowſons of Vicarages incident to any of the Queens impropriations ſhall be reſettled in her, notwithſtanding any Act done by Cardinal *Pool*, or grant made by Queen *Mary*; ſaving unto all perſons (except ſuch unto whom ſuch grants have been made) their right and intereſt into or out of ſuch Impropriations.

XXXVIII. Penſions and all other yearly payments ſhall be paid, as before the Act of 2 & 3 *P & M.*

XXXIX. All perſons in arrear for thoſe duties ſhall now be anſwerable for them to the Queen.

XL. Vicarages of 10 l. *per annum*, and Parſonages of 10 marks per annum, or under ſhall not be chargeable with Firſt-fruits.

XLI. If an Incumbent continue in the Benifice half a year after the laſt avoidance, and dye, or be legally outed before the end of the year, he, his executors, adminiſtrators or ſureties ſhall onely pay a 4th part of the Firſt-fruits: if he live out the year, and dye, or be outed within 6 moneths after the year, only half the Firſt-fruits ſhall be paid: and if he live out the year and half, and dye, or be outed within one year only, the quarter thereof ſhall be paid.

XLII. Diſcharge of Firſt-fruits and tenths heretofore granted by any of the Queens predeceſſors to the Univerſities, or the Colledges in them, or to thoſe of *Eaton* and *Winchester* ſhall remain good, notwithſtanding this Act: alſo the Dean and Cannons of *Windſor* ſhall be from henceforth diſcharged thereof.

XLIII. All grants of Impropriations belonging to the Arch-deconry of *Wells* ſhall remain good, notwithſtanding this Act; yet the ſaid Arch-deaconry and all ſpiritual promotions aſſigned to it ſhall from henceforth pay firſt-fruits and tenths.

XLIV. All Impropriations and other profits or emoluments eccleſiaſtical, which were formerly within the ſurvey of the Dutchy Court of *Lancaſter*, ſhall be re-continued, notwithſtanding this Act, or that of 2 and 3 of P and M.

XLV. The revenues of Hoſpitals and Schools ſhall not be charged with the payment of firſt-fruits or tenths, notwithſtanding this Act.

Fiſh, Fiſhers, and Fiſhing.

*I. **Weſt.** 2. 17. 13 E. 1. None ſhall take Salmons betwixt the 8 of *September*, and the 11 of *November*, nor young Salmon with nets or other Engines at Mil-pools betwixt the midſt of *April* and the 24 of *June*, in pain of having their nets and engines burnt for the firſt offence; for the ſecond, to ſuffer a quarter of a years impriſonment; for the third, a years impriſonment. and after to have their puniſhment increaſed according to the treſpaſs: And in places where freſh waters be, overſeers of this Statute ſhall be aſſigned & ſworn to inquire of the offendors.

II. **Stat.** 31 *E*, 3. **Stat.** 2. 1. No Herring ſhall be bought or ſold in the Sea, before the Fiſhers be come into the Haven, and the cable of the Ship be drawn to the land.

III. **Stat.** 31 *E.* **Stat.** 2. 2. The order and time of bringing in and ſelling of Herrings at the Fair of Great *Yarmouth*, and there the price of a laſt of Herring ſhall be 40 s.

IV. There ſhall be no foreſtalling of Herrings, but they ſhall come freely unſold into the Haven.

V. No Riber ſhall buy any freſh Herring in *Yarmouth* Haven between the Feaſts of St. Mich. and St. Martin, In pain of impriſonment at the King's will, and to forfeit the Herring ſo bought.

VI. No Piker of *London*, or of any other place ſhall enter into the Haven there to abate the Fair, in pain to forfeit the veſſel, and all the goods thereof.

VII. The Hoſtlers there ſhall be ſworn before the Wardens of the Fair to treat their gueſts well, and ſhall have 40 d. for every laſt ſold to others beſides themſelves, but for thoſe ſold to themſelves they ſhall take nothing.

VIII. An hundred of Herring ſhall be 120, and a laſt ten thouſand.

IX. Merchants ſhall ſell a thouſand of Herrings according to the rate of the laſt; and thoſe of *Yarmouth*, ſhall ſell a laſt of red Herring bought for 40 s. for a Noble gain, and thoſe of *London* for a Mark gain, when they bring them thither from Yarmouth and not above.

X. Two laſts of ſhotten Herring freſh ſhall be equal in price with one laſt of full Herring, and two laſt of ſhotten Herring red ſhall be ſold a Mark dearer then a laſt of full red.

XI. The Pikers ſhall buy their Fiſh at *Kirkley*, or elſewhere upon the Coaſt, but not to unfurniſh the ſaid Fair; for the reſidue ſhall be brought to the Fair; and non ſhall ſell Herring within ſeven miles

miles of *Yarmouth*, but within the three Towns thereof, unless it be Herring of their now Fishing.

XII. The Barons of the five Ports are to have the government of the Fair; and this ordinance for buying and selling of Herring shall be observed in all other Towns where Herring is taken and sold.

XIII. Stat. 31 *E.* 3. *Stat.* 2, 3. The Chancellor and Treasurer taking to them Justices and others of the Kings Council shall ordain remedy touching the buying and selling of Stock-fish of St. *Botolfe*, Salmon of *Barwick*, Wines and Fish of *Bristowe* and elsewhere.

XIV. Stat. 31 *E.* 3. *Stat.* 3. 1. Doggers and Land-ships of *Blackney*-Haven, and the Coast thereabouts shall discharge their Fish in the Haven; and not elsewhere, in pain of imprisonment at the Kings will, and to forfeit their Fish, and it shall be sold on Ship-board.

XV. Stat. 31 *E.* 3. *Stat.* 3. 2. The ordering and prizing of Dogger Fish and Loch-fish at *Blackney* Fair in *Norfolk*.

XVI. None but Masters of Ships and Marriners that exercise Fishing, shall buy nets or hooks in *Norfolk* to Fish withal.

XVII. Stat. 31 *E.* 3. All persons may buy Herring in the Fair-time at great *Yarmouth* openly, and not privily.

XVIII. No man shall enter into a bargain of Herring until the first chapman hath done with it.

XIX. A Fisher may sell his herring at any time when he cometh with it.

XX. Stat. 13 *R.* 2. 19. No Fisher shall use any Engine, by which the fry of Fish may be destroyed, upon the pains mentioned in the Stat. of *West.* 2. 47.

XXI. Salmons in *Lancashire* shall not be taken betwixt *Michaelmas* and *Candlemas*.

XXII. Conservators shall be sworn to see this Statute observed and the offenders punished.

XXIII. Stat. 17 *R.* 2. 9. Justices of Peace shall be Conservators of the Statutes of *West.* 2. 47. & 13 *R.* 2. 19. and shall have power to search all weares, lest by their straitness the fry of Fish may be destroyed.

XXIV. Justices of Peace shall have power to appoint and swear under-Conservators, to hear and determine in Sessions offences of this kind, and to punish the offenders by imprisonment and fine, whereof the under-Conservators, which informs, is to have half.

XXV. The Mayor or Warden of *London* hath like power in *Thames*

Thames, from *Staines* to *London*; and in *Medway*, as far as the Citizens grant extends.

* XXVI. Stat. 22 E. 4. 2. None ſhall ſell, or ſet to ſale any Salmon by veſſel before it be viewed, unleſs the But contain 84 gallons, the Barrel 42 gallons, and the half Barrel 21 gallons well packed, in pain to forfeit for every veſſel 6 s. 8 d. And it ſhall not be ſold or put to ſale in any veſſel, unleſs it be well packed, *viz.* the great Salmon by it ſelf, without mingling any grills or broken-bellied Salmon therewith; and the ſmall Fiſh (called grills) ſhall be packed by themſelves without ſuch mingling, in pain to forfeit for every veſſel otherwiſe packed and ſet to ſale 6 s. 8 d.

XXVII. None ſhall ſet any Hering to ſale in veſſel, unleſs the Barrel contain 32 gallons, and the half barrel and Firkin accordingly; They ſhall alſo be well packed, of one times racking, and ſalting, and as good & as well packed in the midſt as at the ends, in pain to forfeit for every veſſel wanting meaſure 3 s. 4 d. and as much for not being packed by this Act.

XXVIII. None ſhall ſet to ſale any Eels by veſſel, unleſs the Barrel contain 42 gallons, and the other leſſer meaſures accordingly; neither ſhall any mingle red, gall-beaten, ſtarved or pulled Eels with good Eels, but pack the good Eels by themſelves; nor put to ſale any red Eels at all, in pain to forfeit for every veſſel wanting meaſure 10 s. and as much for every veſſel mixed, packed or ſet to ſale contrary to this Act.

XXIX. None ſhall ſet to ſale any Barrelled Fiſh, unleſs it be well packed, *viz.* the great Fiſh (called Tail-fiſh, containing in length from the bone in the fin to the third joynt in the tail 26 inches) by themſelves, and the leſſer Fiſh (caled grils) by themſelves, without mixing thukes, or broken-bellied Fiſh therewith; neither ſhall the ſaid Fiſh be laid double in the packing, nor the napes thereof longer then the little bone that reſteth upon the great fin, and the bone ſhall be taken away to the navil of every ſuch Fiſh, which ſhall alſo be ſplatted within a handful of the tail, in pain to forfeit for every Barrel of Fiſh otherwiſe ordered 3 s. 4 d.

XXX. Head-officers of Corporations, Burroughs, Market-towns and other places ſhall appoint diſcreet perſons to ſearch and gauge veſſels of Fiſh for the prevention of the aforeſaid deceits.

XXXI. The forfeitures of this Act ſhall be divided betwixt the King and the proſecutor. Howbeit, within a Franchiſe the Lord of the Liberty ſhall have the King's part.

XXXII. Stat. 11 H. 7. 23. The Statute of 22 E. 4. 2. is confirmed, and the Gauger, Searcher, and Packers fee appointed, *viz.* for

Gauging of every veſſel of Fiſh a farthing, for ſearching and packing (if need be) of a Barrel of Salmon 1 d. for boning, napping, and packing a Barrel of Fiſh (if need be) 1 d. for ſearching and packing a Barrel of Herring 2 d. and as much for Eels; and ſo ratably for leſſer meaſures of Herring and Eels.

XXXIII. The Gauger, Searcher, or Packer ſhall take no more, and that onely when they execute their office, in pain to forfeit their office, and to ſuffer forty days imprisonment without bail.

XXXIV. **Stat.** 31 *H.* 8. 2. None ſhall Fiſh in any Pond, Stew, or Mote in the day time, without the owners conſent, in pain of three Moneths impriſonment, and to find ſureties for their good behaviour. *But this is altered by* 5 *El.* 21. *Vide infra.*

* XXXV. **Stat.** 2. & 3 *E.* 6. 6. No Officer of the Admiralty ſhall take any thing of any perſon that goes to trade for Fiſh into *Iſland*, *New-found land*, *Ireland*, or other places commodious for Fiſhing, for any licence to paſs, or otherwiſe in reſpect of ſuch voyage, in pain to forfeit for the firſt offence treble the ſumme or value of the reward ſo taken, to be divided betwixt the King and the party grieved, or other proſecutor: And for the ſecond offence to loſe his office, and to be fined at the King's will.

* XXXVI. **Stat.** 1 *El.* 17. None ſhall uſe any Net or Engine to deſtroy the ſpawn or frie of Fiſh, or take Salmons or Trouts out of ſeaſon, or Pikes ſhorter then 10 inches, Salmons then 16, Trouts then 8, and Barbels then 12: or ſhall uſe any engine to take Fiſh other then angle or a net, or Tramel of two inches and an half meſhe, in pain to forfeit 20 *s.* the Fiſh ſo wrongfully taken, and the net or engine wrongfully uſed.

XXXVII. All perſons having juriſdiction of Conſervancy upon ſtreams or waters, and Lords of Leets have power upon the oaths of twelve men to hear, and determine theſe offences, and ſhall have all the forfeitures which accrue thereupon.

XXXVIII. The Steward of a Leet ſhall give this Statute in charge to the Jury, in pain of 40 *s.* to be divided betwixt the Queen and the Informer.

XXXIX. Here if the Jury wilfully forbear to preſent offences of this kind, the Steward or Bayliff ſhall impanel another Jury to inquire of their default, which being found, the firſt Jury ſhall forfeit 20 *s.* apiece.

XL. Upon default of preſentment in Leets within one year, Juſtices of Peace in Seſſions, Juſtices of *Oyer* and *Terminer*, and Juſtices of Aſſize in Circuits have power to hear and determine the ſaid offences.

XLI. This Act ſhall not reſtrain the taking of Smelts, Loches, Minews, Bull-heads, Gudgeons, or Eels with Nets or Engines, formerly uſed, ſo that no other Fiſh be taken therewith; nor ſhall extend to abridge any former priviledge of conſervancy lawfully enjoyed, or Fiſhing in *Tweed*, *uske*, or *wye*, or in waters let to farm by the Queen, ſo that the ſpawn or frie of Fiſh be not therein wilfully deſtroyed.

* XLII. **Stat.** 5 *Eliz.* 21. None ſhall unlawfully break down Fiſh-pond-heads, or Fiſh there without licence of the owner, or enter into any Charter-Park, Woods, or other grounds, and there kill or chaſe the Deer, or take any Hawks or Hawks eggs, in pain to ſuffer three moneths impriſonment, and to be bound with good ſureties to the good behaviour for ſeven years after.

XLIII. The party grieved ſhall in Seſſions, or elſewhere recover treble damages againſt the Delinquent, and upon ſatisfaction ſhall have liberty to procure his releaſe of the behaviour.

☞XLIV. Juſtices of *Oyer* and *Terminer*, Aſſize, Peace and Gaol-delivery in Seſſions have power to hear and determine thoſe offences.

XLV. Juſtices of Peace upon the offenders acknowledgement in Seſſions, and ſatisfaction to the party grieved, ſhall have power to releaſe the behaviour.

XLVI. **Stat.** 1 *Jac.* 23. In the Counties of *Somerſet*, *Devon*, and *Cornwall*, it ſhall be lawful for Huors of Fiſh to go upon any man's ground near the Sea-coaſt to diſcover Fiſh, and for Fiſhermen to dry their ſeames and nets there, without danger of committing treſpaſs.

* XLVII. **Stat.** 3. *Jac.* 12. None ſhall erect a Wear or Wears along the Sea-ſhore, or in any Haven or Creek, or within 5 miles of the mouth of any Haven or Creek, or ſhall willingly deſtroy the ſpawn or fry of Fiſh, in pain of 10 l. to be divided betwixt the King and the proſecutor; neither ſhall any Fiſh in any of the ſaid places with any net of a leſs meſhe then 3 inches and an half betwixt knot and knot (except for the taking of ſmoulds in *Norfolk* onely) or with a Canvas net or other engine, whereby the ſpawn or fry of Fiſh may be deſtroyed, in pain to forfeit the ſaid net or engine and 10 s. in money, to be divided betwixt the poor of the Pariſh and the proſecutor; and to be levied in Corporations by the Head-officers, ☞ and in other places by diſtreſs and ſale of goods upon a warrant of a Juſtice of Peace directed unto the Conſtables and Church-wardens of the ſame Pariſh for that purpoſe.

XLVIII. **Stat.** 14 *Car.* 2. *cap.* 28. For encouragement of Fiſhing and preventing the diſorder and abuſes in draining nets and

unlawful engins, It is enacted; That none ſhall in any year from the firſt of *June* till the laſt of *November*, take any Fiſh in the Sea, in *Cornwall* or *Devon*, with any trammel, driff-net, or ſtream-net or nets of that ſort, unleſs it be at a league and halfs diſtance from the ſhore, on penalty of forfeiture of the nets or the value thereof and one moneths impriſonment without bail.

XLIX. None but Owners, Partners or Adventurers in the Craft of Fiſhery ſhall make any Pilchards or Fumathoes in casks to be ſold or tranſported, except they openly buy them of the Owners or Adventurers in the Pilchard Craft, upon pain of forfeiture of the ſame, one half to the King and the other half to any ſuch as ſhall ſue for the ſame.

L. None ſhall hide or purloyn or carry away or ſell any Pilchard Fiſh, out of any Net, Boats, or ſellars, without allowance of the Owner, and major part of the company upon pain of treble damages to the party wronged, and being ſent to the houſe of Correction for 3 moneths.

LI. Idle and ſuſpicious perſons ſhall not flock together about the Boats, Nets, or ſellars of Pilchard catchers upon any the coaſt of *Cornwall* and *Devon*, having no buſineſs there, and being warned by the Company or Owners to be gone, upon pain every perſon refuſing to depart upon complaint to any Juſtice of the Peace ſhall pay 5 s. to the poor of the pariſh where ſuch offence ſhall be committed, or be ſet in the Stocks five houres.

LII. **Stat.** 15 *Car.* 2. *cap.* 16. *Stat.* 3. An Act for regulating the Herring, and other Fiſhers and the Act at large.

Flax and Hemp.

I. **Stat.** 33 *H.* 8. 17. None ſhall water any Hemp or Flax in any River, Running-water, Stream, Brook, or common Pond, where beaſts be uſed to be watered, but onely upon the ground, in pits ordained for that purpoſe, or in their own ſeveral Ponds, in pain of 20 s. to be divided betwixt the King and the party grieved, or other proſecutor.

Fools, Lunaticks, and Mad-men.

I. **Prerog.** Reg. 9. 17 *E.* 2. The King ſhall have the cuſtody of the lands of natural fools, taking the profits thereof without waſt and finding them neceſſaries, of whoſe fee ſoever the lands be holden, and after the death of ſuch Idiots ſhall render them to the right heir, ſo that the lands ſhall not be ſold, nor the heir diſinherited.

II. Pertog. Reg. 10. 17. E. 2. The King ſhall provide, that the lands of Lunaticks be ſafely kept without waſte; and they and their Families (if they have any) ſhall be maintained with the profits thereof, and that the reſidue be kept for their uſe, and be delivered unto them, when they come to right minde; ſo that the Lands ſhall not be aliened, neither ſhall the King have any profits thereof to his own uſe; but if they die in ſuch eſtate, the reſidue ſhall be diſtributed for their ſouls by the advice of the Ordinary.

Forcible Entry.

* I. Stat. 5 R. 2. 7. None ſhall enter into Lands or tenements by force, in pain of impriſonment and ranſom at the King's pleaſure.

II. Stat 15 R. 2. 2. When forcible entry is made into land or Church livings, one or more Juſtices of Peace taking ſufficient power, and going to the place ſo kept by force, may commit the offendor to the next Gaol, there to remain convict by the Juſtices Record, till he hath made fine and ranſom to the King; And herein the Sheriff and all other ſhall be aſſiſtants, in pain of impriſonment and great fines making.

III. Stat. 8 H. 6. 9. The Stat. of 15 R. 2. 2. ſhall be duly put in execution both againſt forcible entry and forcible detainer, although it were after Peaceable entry; and all this at the coſts of the party grieved.

IV. When complaint of any ſuch entry or detainer ſhall be made to any Juſtice or Juſtices of Peace, he or they by precept ſhall command the Sheriff to ſummon a ſufficient Jury, and having by them made enquiry of the force committed, ſhall cauſe the tenements to be ſeized, and that as well in the abſence as preſence of the party offending: and here, the alienation of the tenements (ſo entred into or detained by force) for maintenance ſhall be adjudged void.

V. If the Jurors make default, iſſues are to be ſet upon them by the Sheriffs thus, 20 s. upon the firſt precept, 40 s. upon the ſecond, 100 s. upon the third, and for every default after, the double.

VI. The Sheriff or Bailiff that ſhall neglect his duty herein, ſhall forfeit 20 l. to be recovered againſt him, as well before the Juſtices aforeſaid, as before Juſtices of Aſſize by indictment or bill, and to be divided betwixt the King and the proſecutor.

VII. In an Aſſize of *novel diſſeiſin*, or action of treſpaſs againſt the party guilty of forcible entry, forcible detainer and alienation

as aforesaid, the party grieved shall recover treble damages.

VIII. Head-Officers and Justices of Peace of Corporations have like power with their Franchises that other Justices of Peace have within Counties.

IX. This Statute shall indamage none where peaceable possession hath been injoyed by the space of three years.

X Stat. 31 *El.* 11. There shall be no restitution upon an indictment of forcible entry or detainer, where the Defendant hath been three years next before in quiet possession and his estate therein not ended.

XI, Stat. 21 *Jac.* 15. Upon force or detainer, as aforesaid, a Justice or Justices of Peace have power to give restitution of possession as well unto tenants for years, by Elegit, Statute-merchant, or Staple, Copiholders, or Guardians by Knights-service as unto those that claim free hold or inheritance.

☞ Forests, Chases, Parks, and Warrens.

I. Charta foreste. *Cap.* 1, 9. H. 3. All Forests afforested by H. 3 shall be viewed by lawful men, and if he hath afforested any other Woods then his own Demesne, whereby any is prejudiced, they shall be dis-afforested, saving Common of herbage, and other things within the Forest to such, as have been accustomed to enjoy them,

II. *Cap.* 2. None dwelling out of the Forest shall come before the Justices of our Forest by Common summons, unless they be impleaded there, or be sureties for others that are attached for the Forest.

III. *Cap.* 3. All woods made forest by R. 1. or King *John* shall be diss-afforested, unless they be our demesne woods.

IV. *Cap.* 4. All free-holders having woods in Forests shall enjoy them as they did in the Coronation of *H.* 2. acquitted of all purprestures, wasts, and asserts, made before the second year of the Coronation of *H.* 3. and they that make them henceforward shall be answerable to the King for the same.

V. *Cap.* 5. Rangers of the Forests shall exercise their offices as was used at the Coronation of *H.* 2, and not otherwise.

VI. *Cap.* 6. Lawing of Dogs shall be made in Forests from three years to three years by the view and testimony of lawfull men, and not otherwise: and he that hath not his dog lawed shall be amerced 3 s, also no ox shall be taken for lawing of Dogs, and it shall be done by the usual Assize, *viz.* that three claws of the forefoot be cut off by the skin: Howbeit, such lawing shall not be, but

but where it hath been uſed from the Coronation of *H.* 2.

VII. *Cap.* 7. No Foſter or Beadle ſhall make Scotal, or gather Garb, Oats, Corn, Lamb, or Pig, but by the ſight and oath of the 12 Rangers, when they ſhall make their Range: And there ſhall be ſo many Rangers aſſigned for the keeping of Foreſts, as ſhall ſeem reaſonably ſufficient for the ſame.

VIII. *Cap.* 8. There ſhall be onely three Swain-motes in the year, *viz.* one 15 days before *Michaelmas*; another about *Martinmas*, and the third, 15 days before *Midſummer*, at the firſt two of which none ſhall appear by diſtreſs but the Foſters, Verdors, and Geſt-takers, and at the othes, onely the Foſters and Verdors: Howbeit, the Foſters and Verdors ſhall meet every forty days to ſee the attachments of the Foreſts, as well for Green-hue as hunting: And the Swain-motes ſhall not be kept but in the Counties, where they have been uſed to be kept.

IX. *Cap.* 9. Every one having a Wood in the Foreſt may agiſt it, and take his pawnage there at his pleaſure; he may alſo drive his hogs through the King's Wood, or elſewhere for that purpoſe, and if they lie all night in the Foreſts, he ſhall not be queſtioned for it.

X. *Cap.* 10. None ſhall loſe life or member for killing of Deer, but ſhall be fined for it, if he have any thing; if not, he ſhall be impriſoned a year and a day, and (if he can find good ſureties) ſhall then be delivered; but if not he ſhall abjure the Realm.

XI. *Cap.* 11. A Peer of the Realm, being ſent for by the King, in coming and returning may kill a Deer or two in the Foreſt, through which he paſſeth; Howbeit it muſt not be done privily, but by the view of the Foſter, if preſent; but if abſent, by cauſing one to blow a horn for him, leſt he ſeem to ſteal the Deer.

XII. *Cap.* 12. Every freeman may within the Foreſt (upon his own ground) make a Mill, Spring, Pool, Marl-pit, Dike, or arable ground, without incloſing ſuch arable, ſo it be not to the nuſance of any of his neighbours.

XIII. *Cap.* 13. Every free-man may have his Ayries of Hawks, Eagles, and Herons, and alſo Honey found in his Woods within the Foreſt.

XIV. *Cap.* 14. No Chimage or toll ſhall be taken in Foreſts but by a Foreſter in fee that farms his Bailiwick, and onely of ſuch as buy their buſhes, timber, bark, or coal to ſell it again, *viz.* 2 d. for a cart, and 1 d. for an horſe to be taken, half yearly; and it ſhall onely be taken where it hath uſed to be taken, and not elſewhere: neither ſhall any chimage be taken of ſuch as carry burthens of buſhes

bark, or coal, albeit they ſell it, unleſs they take them out of the King's Demeſne Woods.

XV. *Cap.* 15. All perſons outlawed for treſpaſs in Foreſts ſince *H.* 3 ſhall be releaſed, finding ſureties to offend no more,

XVI. No Conſtable, Caſtellain, or Bailiff ſhall hold pleas of Foreſt for Green hue or hunting, but the Foreſter ſhall attach ſuch pleas and preſent them to the Verdors of the Provinces, who ſhall inroll them, and preſent them incloſed under their ſeals unto the Chief Juſtice of the Foreſt when he comes into thoſe parts to hold pleas of the Foreſt to be determined before him.

XVII. Theſe liberties of the Foreſt the King grants to all men, ſaving to all other perſons the liberties and free cuſtomes in Foreſts, Warrens, and other places which they have formerly enjoyed.

XVIII. Merton, *cap.* 11. 20 *H.* 3. The Lords demanded the impriſonment of treſpaſſers in their Parks and Ponds, but it was denied by the King, and ſo deferred.

XIX. Weſt. 1. *cap.* 20. 3 *E.* 1. Treſpaſſers in Parks or Ponds ſhall give treble damages to the party grieved, ſuffer three years impriſonment, be fined at the King's pleaſure, and give ſurety never to offend in the like kind again: And if they cannot find ſurety, they ſhall abjure the Realm, or being fugitive ſhall be outlawed.

XX. Stat. 21 *E.* 1. A Foreſter, Parker, or Warrener, ſhall not be queſtioned for killing a Treſpaſſer, who (after the peace cried unto him) will not yield himſelf, ſo it be not done out of ſome other former malice.

XXI. *Ordinatio Foreſtæ*, 33 *E.* 1. *Stat.* 5. Thoſe to whom the King hath granted Purliew (whereby their Woods are diſ-afforeſted) ſhall be quit of the charge of the Foreſt, but then they are to have no common there: Howbeit, ſuch as are willing to return their Woods into the Foreſt ſhall injoy Common and other eaſements there as they did before.

XXII. *Ordinatio Foreſtæ*, 34 *E.* 1. *cap.* Preſentment of treſpaſſes of Green-hue and hunting in Foreſts ſhall be made at the next Swainmote by the Foreſters within their ſeveral Bailiwicks, before the Foreſters, Verdors, Regardors, Agiſtors, and other Miniſters of the Foreſt, and they ſhall be alſo inquired of by the oaths as well of Knights as other lawfull men, (not ſuſpected) of the neareſt parts, where the treſpaſſes were committed, and the preſentments ſo inquired of ſhall be ſolemnly confirmed and ſealed by the ſeals of the ſaid Miniſters.

XXIII. *Cap.* 2. If any Officer die, or be otherwiſe hindered, that he cannot preſent at the *Swainmote*, the Juſtice of the Foreſt or his

his Lieutenant ſhall put another in his place; that the Indictment may nevertheleſs be made by all, in form aforeſaid: alſo Officers which are to be placed, ſhall be put as hath been uſed; except the Verdors, who ſhall be ordained by election or Writ.

XXIV. *Cap.* 3. No Miniſter of the Foreſt ſhall be put upon any Aſſize, Jury or Enqueſt to be taken without the Foreſt.

XXV. *Cap.* 4. No Officer of the Foreſt ſhall ſurcharge the Foreſt, in pain to be impriſoned by the Juſtice of the Foreſt, or his Lieutenant, and he by whom they were placed ſhall be alſo puniſhed at the King's pleaſure. At every *Swainmote* enquiry ſhall be made of ſurcharges, Foreſters, and other Miniſters there, and of oppreſſions done to the people, that reformation may be made.

XXVI. *Cap.* 5. Treſpaſſes committed in grounds diſ-afforeſted, ſhall be pardoned; yet ſo as the hedges and ditches ſhall be caſt down and removed; ſaving the King's Arrentations, which ſhall remain according to the Aſſize of the Foreſt; alſo the wood felled in the Foreſt ſhall be carried away, but that ſtanding (though ſold) ſhall be preſerved.

XXVII. *Cap.* 6. The Juſtice or his Lieutenant ſhall take fines and amerciaments of Indictees for treſpaſſes committed there, and ſhall not tarry for the *Eyre*. Commoners reſtrained from their Commons by the Perambulation, ſhall be reſtored to them again; ſaving the King's Arrentations, as aforeſaid.

XXVIII. *Stat.* 1 *E.* 3. *Stat.* 1. *cap.* 8. None ſhall be taken or impriſoned for vert or veniſon, unleſs he be taken with the manner, or elſe indicted, according to the form of the Statute of 34 *E.* 1. And then the Warden of the Foreſt ſhall let him to mainprize, untill the Eyre of the Foreſt, without taking any thing for his deliverance: And if the Warden will not ſo do, he ſhall have a Writ out of the Chancery of old ordained for perſons indicted, to be bailed till the Eyre.

XXIX. If the Warden after the Writ ſerved deliver not the perſon indicted to Mainprize, the Plaintiff ſhall have a writ out of the Chancery directed to the Sheriff, to attach the Warden to anſwer his default before the King at a certain day; and then the Sheriff (the Verdors being called to him) ſhall deliver the perſon indicted by good mainprize in the preſence of the ſaid Verdors, and ſhall deliver the names of the Mainpernors to the ſame Verdors to anſwer in the Eyre before the Juſtices.

XXX. If the chief Warden be thereof attainted, he ſhall be awarded to pay treble damages to the party grieved, committed to priſon, and ranſomed at the King's will.

XXXI.

XXXI. **Stat.** 1 *E.* 3. *Stat.* 3. *cap.* 1. The great Charter and also that of the Forest are confirmed.

XXXII. The perambulations of Forests shall continue, as they were bounded in the time of *E.* 1. and every County shall have a Charter thereof, and where they are not bounded, it shall be now done, and a Charter thereof shall be also made accordingly.

XXXIII. **Stat.** 1 *E.* 3. *Stat.* 2. *cap.* 1. Every man having wood within the Forest may take house-boot and hey-boot in his said wood, without being attached for the same by the Ministers of the Forest, so that it be done by the view of the Foresters.

XXXIV. **Stat.** 25 *E.* 3. *Stat.* 5. *cap.* 7. No Forester or other Minister there shall gather any victuals, or other thing, by colour of his office, but what is due of old right.

XXXV. **Stat.** 7 *R.* 2. 3. A Jury for the trial of a trespass within a Forest shall give up their verdict, where they received their charge, and shall not by menace, or otherwise be constrained to give their verdict of a trespass done in the Forest, otherwise then their conscience will clearly inform them.

XXXVI. **Stat.** 7 *R.* 2. 4. No officer of the Forest shall take or imprison any without due indictment, or *per main ouvre*, with his hand at the (work, that is, being taken with the manner) or trespassing in the Forest; nor shall constrain any to make obligation of ransom against his will, and the Assize of the Forest, in pain to pay the party grieved double damages, and to be ransomed at the King's will.

XXXVII. **Stat.** 20 *E.* 4. 7. If any having Woods in his own ground, within any Forest, Chase, or Purlieu, shall cut or cause the same (or any part thereof) to be cut, by the King's licence (where such Forests, Chases, or Purlieu are his) or without licence (where they belong to others) he may keep them several and inclosed during seven years next after their felling.

XXXVIII. **Stat.** 32 *H.* 8. 35. Every Justice of the King's Forests, Chases, and Parks, by writing under the seal of his office may make as many Deputies as he please, which shall have like power as the Justice himself hath.

XXXIX. **Stat.** 16. 17 *Car.* 16. An Act for the certainty of Forests, and of the Meers, limits, and bounds thereof. *See the Statute at large.*

Forfeiture.

I. **Magna Charta**, *Cap.* 22. 9 *H.* 3. The King will not hold the lands of persons convict of Felony longer then a year and a day, and then they shall be delivered to the Lords of the Fee.

II.

II. Stat. 17 E. 2. 14. The King ſhall have the Eſcheats of the lands of free-holders, of Arch-biſhops, and Biſhops, which happen in time of Vacation to diſpoſe of at his pleaſure, the ſaid free holders being attainted for felony, ſaving to ſuch Prelats the ſervice, that thereto is due and accuſtomed.

III. Stat. 17 E. 2. 16. The King ſhall have all the goods of felons and fugitives, and the year, day, and waſte of their land, and then the land ſhall be delivered to the Lord of the Fee, who may alſo (if they pleaſe,) compound with the King for the year, day and waſte.

IV. Here certain lands are excepted, *viz.* 1. in *Glocester ſhire* where after the year and day, the land ſhall deſcend to the next heir. 2. In *Kent* (lands called *Gavelkind*) where the Father may go to the Bough, and yet the Son to the Plough: And in *Gavelkind* all the heirs male ſhall divide the inheritance, and ſo ſhall the heirs-female, but women ſhall not make partition with men; alſo a woman ſhall be indowed of the moiety, and if ſhe commit fornication in her widdow-hood, or marry, ſhe ſhall loſe her Dower.

V. Stat. *De Catallis felonum.* None taken for felony, for which he ſhall be impriſoned, ſhall be diſſeiſed of his lands or chattels until he be convicted thereof: but as ſoon as he is taken, his tenements and chattels ſhall be viewed by the Sheriff and other Officers of the King and lawful men and Inventoried, and kept by the Bailiff of him that is ſo taken, who ſhall give ſurety to the Juſtices of the chattels, or the price: ſaving to be accuſed and his family their neceſſaries as long as he ſhall the impriſoned, and his reaſonable eſtover, ſo that when he is convicted, the reſidue of his chattels (beſides his eſtover) may remain to the King with the year and day of his lands; but if he be acquit, his chattels ſhall be reſtored. *Vide Raſt. Forfeiture 7.*

VI. Stat. 31 E. 3. *Stat.* 1. 3. If any charged with the goods of fugitives and felons (will in diſcharge of himſelf) alledge another that is chargeable therewith, he ſhall be heard and right ſhall be done him.

VII. Stat. 34 E. 3. 12. There ſhall be no forfeiture of lands for treaſon of dead perſons not attainted in their lives.

VIII. Stat. 1 R. 3. 3. None ſhall ſeize the goods of any arreſted for ſuſpition of felony before he be convict or attainted thereof, or the ſame goods be otherwiſe lawfully forfeited, in pain to forfeit to the party grieved double the value of the goods ſo taken, to be recovered by Action of debt, &c. wherein no eſſoin, &c. ſhall be allowed.

IX.

IX. Stat. 11 H. 7. 1. None that attends upon the King (for the time being) in his person, and doth him faithful service of Allegiance in his wars within the Realm or without, or is in other places at his command, shall be convict or attainted of High Treason; or any other offence for so doing, whereby he may forfeit any thing, but shall be clearly discharged of all vexation and loss, which he may incur by reason of the same. And if any Act or process of Law hereafter happen to be made thereupon, it shall be void: Provided, that none shall take benefit by this Act, which shall hereafter decline from his Allegiance.

X. Stat. 24 H. 8. 5. If any be indicted or appealed for the death of one attempting to murther, rob, or commit burglary (and so found by verdict) he shall forfeit no lands or goods for the same, but shall be fully acquit and discharged thereof.

Forger of false Deeds.

I. Stat. 5 El. 14. If any alone or with others shall willingly, subtilly and falsly forge or make, or cause to be forged or made any false Deed, Charter or writing sealed, Court-Rolls or Will in writing, to the intent, that the free-hold or inheritance of lands, or the right or title thereof may be troubled, defeated, or charged, or shall publish or shew forth in evidence any such forged writing as true, knowing the same to be false and forged, and shall be thereof convicted upon an Action of Forger of false Deeds (to be founded upon this Statute) at the suit of the party grieved, or otherwise, shall pay to the party grieved double costs and damages, to be assessed in the Court; where such conviction shall be, shall be set upon the Pillory in some Market-town, or other open place, and there have both his Ears cut off, and also his nostrils slit and seared with an hot iron, he shall also forfeit to the Queen, her heirs and successors the Issues of his lands, and suffer perpetual imprisonment during his life: and the said costs and damages shall be first levied upon the goods and issues of the lands of the offender, notwithstanding the Queen's title thereunto.

II. For such forging, &c. of a lease for years of lands (not Copy-hold) or of an Annuity, Obligation, Bill, Acquittance, Release, or other discharge of any personal thing; the offender shall pay double costs to the party grieved to be assessed, as before, be set upon the Pillory, lose one of his ears, and suffer 2 years imprisonment without bail.

III. The party grieved may have his remedy for his double costs and damages by original Writ out of the Chancery, as in case

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of treſpaſs, by bill in the King's Bench, or in the Exchequer, in which ſuit no eſſoin, &c. ſhall be allowed.

IV. Howbeit, he that is once puniſhed for his offence ſhall not after be impeached for the ſame; and albeit the Plaintiffs releaſe or diſcontinuance of ſuit may diſcharge his own remedy, yet the reſt of the puniſhment ſhall be nevertheleſs inflicted by judgment and command of the Court.

V. The ſecond offence is felony without Clergy, whereof the offender being convicted or attainted, he ſhall forfeit his lands and goods as in other caſes of felony, ſaving to all other perſons their right, &c. neither ſhall ſuch conviction or attainder extend to loſs of Dower, or diſheriſon of heir.

VI. Provided, this Act ſhall not extend to charge any Ordinary, Commiſſary or Official for putting their ſeal of Office to any will, not knowing the ſame to be forged, nor for writing ſuch a will, or the probate thereof.

VII. Juſtices of *Oyer* and *Terminer*, and Aſſize in their Seſſions ſhall hear and determine theſe offences.

VIII. Provided this Act ſhall not extend to any Proctor, Advocate, or Regiſter for writing, ſetting forth, or pleading of any Proxie for the apparence of any perſon cited to appear in the Eccleſiaſtical Court, nor to any Arch-deacon or Official for putting their ſeal to ſuch Proxie, nor to any Eccleſiaſtical Judge for admitting the ſame, nor to any Attorney or Counſellor for pleading or giving in evidence any ſuch forged writing, being nor party nor privy thereunto, nor to any perſon, that ſhall plead or ſhew forth any writing exemplified under the Great Seal or the ſeal of any other Court of this Realm, nor to any Judge, Juſtice or other perſon, that ſhall ſet any ſuch ſeal thereunto, not knowing the ſame to be forged.

☞ Foreſtallers, Regrators and Ingroſſers.

I. Stat. 5 E. 6. 14. He or ſhe that ſhall buy or contract for any Merchandize, Victual or other thing whatſoever, (in the way) before it ſhall be brought (by land or by water) unto any City, Port, Road, Fair or Market where it ſhould be ſold, or ſhall cauſe the ſame to be ſo bought, or ſhall diſſwade people from bringing any ſuch commodity to any ſuch place, or (being brought) ſhall perſwade them to inhance the price thereof ſhall be adjudged a Foreſtaller.

II. A Regrator is he that buyes any grain, wine, fiſh, butter, cheeſe, candles, tallow, ſheep, lambs, calves, ſwine, pigs, geeſe, capons, hens,

hens, chickens, pigeons, conies, or other dead victual whatſoever, brought to a Fair or Market to be ſold there, and to ſell the ſame again in the ſame Fair or Market, or in ſome other Fair or Market within 4 miles.

III. An ingroſſer is he that gets into his hands by buying, contract or promiſe (other then by demiſe, grant or leaſe of land or tithe) any corn growing in the fields, or other grain, butter, cheeſe, fiſh, or other dead victual whatſoever, with intent to ſell it again.

IV. The party guilty of any of the offences aforeſaid, ſhall forfeit for the firſt offence the value of the goods ſo bought or had, and ſuffer two moneths Impriſonment without bail; for the ſecond, the double value, and ſuffer ſix moneths impriſonment without bail, and for the third, ſhall forfeit all his goods, be ſet upon the Pillory, and be impriſoned at the King's pleaſure.

V. This Act ſhall not reſtrain the buying of Barley or Oats to be converted into Mault or Oatmeal; nor the proviſion of any Town Corporate, Ship, Caſtle, Fort, *Berwick*, Holy Iſland, &c. or any Fiſh-monger, Inholder, Victualer, Butcher, Poulterer, or people dwelling within one mile of the main Sea, which uſe to buy and ſell fiſh, for any thing concerning their ſeveral myſteries or trading, they retailing the ſame at reaſonable prices, nor any Badger, Lader, Kidder or Carrier, aſſigned to that office by three Juſtices of Peace, and delivering the commodity out of his hand within one moneth after he buyes it; nor the taking of any thing reſerved upon any leaſe, ſo that all theſe things be done without fraud or foreſtalling.

VI. He that buyeth grain in any Market for change of ſeed, ſhall bring as much the ſame day, and ſell it, if he can, according to the preſent price of grain there, in pain to forfeit double the value of the grain ſo bought.

VII. He that buyes any cattel and ſells the ſame again alive within 5 weeks, ſhall forfeit double the value thereof, during which time he ought to keep them upon Paſture, which he hath either by grant or preſcription.

VIII. Juſtices of Peace in Seſſions have power to hear and determine the aforeſaid offences by inquiſition, preſentment, bill, or information, or by the teſtimony of two witneſſes, and to exact the one half of the forfeitures to the uſe of the King, and cauſe the other half to be levied to the uſe of the proſecutor by *Fieri facias* or *Capias*, and when the proſecution ſhall be at the Kings ſuit onely, to extract the whole to the King's uſe.

IX. None ſhall be puniſhed twice for the ſame offence.

X. This Act ſhall not reſtrain the tranſporter of grain or cattel from Port to Port (allowed by three Juſtices of Peace, and not fore-ſtalling) ſo that he imbark the ſame within 40 days after he buyes them, and bring back from ſome Juſtice of Peace, or Head-officer a Certificate of their unlading agreeable to his Cocket.

XI. The offences againſt this Statute ſhall be proſecuted within two years.

XII. This Act ſhall not reſtrain a Drover allowed by three Juſtices of Peace (1. *Qu.*) and ſelling his cattel at 40 miles diſtance from the place where he bought them. Howbeit ſuch allowance ought not to continue above one year.

XIII. **Stat.** 13 *El.* 25. *in fine.* The Statute of 5. 6 *E.* 6. 14. ſhall not extend to Wines, Oyls, Sugars, Spices, Currants, or other forein victual brought from beyond Sea, Fiſh and Salt onely excepted.

XIV. *For more ancient Statutes againſt Foreſtalling, ſee the Statute of Foreſtallers,* 31 E. 1. *and the Statute of clothes,* 25 E. 3. 3. *which becauſe they are altered by* 4. 5 E. 4. 14. *I have not thought them fit to be inſerted.*

☞ Franchiſes and Liberties.

I. **Magna Charta,** *Cap.* 1. 9 *H.* 3. The Church of *England* ſhall be free, and ſhall have all her holy Rights and liberties inviolable.

II. **Magna Charta,** *Cap.* 9. 9 *H.* 3. The City of *London*, and all other Cities, Borroughs, Towns, the Barons of the five Ports, and all other Ports ſhall have all their old liberties and free Cuſtoms.

III. **Magna Charta,** *Cap.* 37. 9 *H.* 3. All free and ancient liberties and cuſtoms of all perſons as well Spiritual as Temporal are reſerved, which the King himſelf promiſeth to obſerve, and commandeth all men of this Realm to do the like. He likewiſe further promiſeth, that neither he nor his heirs ſhall procure or do any thing to infringe them, and that if any thing be ſo procured, it ſhall be void.

IV. **Stat.** *De quo warranto,* 18 *E.* 1. If any can verifie by good enqueſt, or otherwiſe, that they or their Anceſtors or Predeceſſors have uſed any liberty, whereof they have been impleaded by *Quo warranto*, before the death of *R.* 1. and have hitherto (not having abuſed ſuch liberty,) They ſhall be adjourned to a reaſonable day before the Juſtices, within which time they may repair to

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the King, with the Record thereof, ſigned by the Juſtices ſeal, which done the King will confirm their eſtate; and if any judgments have been given upon ſuch writs by the Juſtices at *Weſtminſter*, upon the complaint of the party grieved to the King, he will give them remedy.

V. All pleas of *Quo warranto* ſhall be from henceforth pleaded and determined in the Circuit of the Juſtices, and all pleas now depending ſhall be adjourned into their proper Counties, until the coming of the Juſtices into thoſe parts. *Note that this Statute was confirmed by another Statute* De quo warranto, *of the ſame year, and to the ſame effect.*

VI. Stat. *De quo warranto*, 30 *E.* 1. The form of a Writ to be directed to the Sheriff to permit all men to injoy all ſuch liberties as they had before; and of a Proclamation, that ſuch as claim liberties ſhall ſhew to the Juſtices (at the firſt Aſſizes when they ſhall come into thoſe parts) how they hold them; for which they ſhall have forty days ſummons, and if they appear not, their liberties ſhall be ſeiſed in the name of diſtreſs. Alſo the form of another Proclamation, that ſuch as complain of the King's officers ſhall ſhew their grievances to the ſaid Juſtices.

VII. Stat. *De Tallagio non concedendo*, *Tempore* E 1. *cap.* 4. All perſons ſhall have their laws, liberties, and free cuſtoms as largely as they have uſed to have them, when they had them beſt: And if any Statutes or Cuſtoms have been made or brought in by us or our Predeceſſors, or if any article contained in this Charter be found contrary thereunto, they ſhall be void.

VIII. Stat. 1 *E.* 3. *Stat.* 2. 4. All Cities, Borroughs, and franchiſed Towns ſhall injoy all their franchiſes, cuſtoms, and uſages, as they ought and were wont to do.

IX. Stat. 14 *E.* 3. *Stat.* 1. *cap.* 1. Holy Church ſhall have her liberties in quietneſs: The great Charter and that of the Foreſt ſhall be holden in all points: and the City of *London* and all other Cities and Borroughs ſhall injoy all their Franchiſes and Cuſtoms which they have reaſonably had and uſed in times paſt.

X. Stat. 25 *E.* 3. *Stat.* 3. 1. All priviledges and franchiſes heretofore granted to the Clergy are confirmed, and ſhall be holden in all points.

XI. Stat. 6 *R.* 2. *Stat.* 1. 1. The Church of *England* ſhall have all her liberties whole and unhurt, and the ſame ſhall fully injoy and uſe.

XII. Stat. 7 *R.* 2. 1. Holy Church ſhall injoy all their liberties and franchiſes, as ſhe had them in the time of the King's

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progenitors. The like is granted in 2 *R.* 2. 1. 3 *R.* 2. 1. 5 *R.* 2. 2. 1. 12 *R.* 2. 1. & 1 *H.* 4. 1.

XIII. **Stat.** 2 *H.* 4. 1. The Church ſhall have her rights and liberties. All Lords ſpiritual and temporal, Cities, Borroughs and Towns enfranchiſed ſhall injoy their liberties and franchiſes, which they have lawfully uſed or have had by the grant of the Kings predeceſſors, Kings of *England*. *Vide* 9 *H.* 4. 1. 13 *H.* 4. 1. 3 *H.* 5. 1. and 2 *H.* 6. 1. *which are in effect the ſame, ſave that they except ſuch Franchiſes as are repealed or repealable by the Common-Law.*

XIV. **Stat.** 27 *H.* 8. 24. None but the King ſhall have power to pardon treaſon or felony, or ſuch as are acceſſary to, or outlawed for the ſame, notwithſtanding any Grant, Uſage, Preſcription, Act, or other thing to the contrary.

XV. None ſhall make Juſtices in Eyre, of Aſſize, Peace, or Gaol-delivery, but only the King, and that by his Letters patents under the great Seal, and notwithſtanding any grant, &c.

XVI. All Writs, Indictments and Proceſſes in every County Palatine, or other liberty ſhall be made in the King's name, *Teſte* the owner of ſuch County Palatine or liberty; and here in every ſuch writ and indictment of any offence againſt the Peace, it ſhall be ſuppoſed to be done againſt the King's Peace, and not againſt the peace of any other perſon, notwithſtanding any Grant, &c.

XVII. Provided, that Juſtices of Aſſize, Gaol-delivery, and Peace in the County Palatine of *Lancaſter* ſhall be ſo made under the King's uſual ſeal of *Lancaſter*, notwithſtanding any Act.

XVIII. Provided alſo, that Corporations which have power to have Juſtices of Peace and Gaol-delivery, may have them ſtill, notwithſtanding this Act.

XIX. Stewards, Bailiffs, and other Miniſters of Liberties ſhall attend the Juſtices of Aſſize, Gaol-delivery, and Peace, and make due execution of Proceſſes to them directed within their liberties: and the Bailiffs there or their Deputies ſhall alſo attend and aſſiſt the Sheriff at the Gaol-delivery for execution of priſoners.

XX. Provided, that the laſt clauſe ſhall not be prejudicial to any Stewards or Bailiffs of Corporations, which are not compellable to attend or appear out of their Corporations.

XXI. The King ſhall have the fines, iſſues, amerciaments and forfeitures, which ſhall be ſet upon, or loſt by Stewards, Bailiffs, or other Miniſters of Liberties, notwithſtanding any grant, &c. And amerciaments, for inſufficient returns made by ſuch Stewards

or Bailiffs, ſhall be ſet upon their heads; and not upon the Sheriffs.

XXII. Purveyors may take proviſion within liberties, notwithſtanding any grant, &c. Provided, ſuch purveyors obſerve the Statutes made for them in that behalf.

XXIII. The King's officers may keep their Courts within the Verge, and his Clerke of the Market onely ſhall execute his Office there, notwithſtanding any liberty but *London*.

XXIV. All Statutes made againſt Sheriffs, Under-Sheriffs, Bailiffs, or other Miniſters for any miſdemeanour concerning their Offices ſhall extend to Stewards, Bailiffs, and other Miniſters of Liberties.

XXV. Stewards and Bailiffs of Liberties, and their Deputies, and Clerks may execute their office above a year, notwithſtanding this laſt clauſe.

XXVI. All ſuch Juſtices to be made, as is aforeſaid rehearſed in this Act ſhall have power to hold their Seſſions of Peace, and to deliver the Gaols within their Liberties, and to execute all other things within the ſame, in as ample manner as other Juſtices of peace and Gaol-delivery do in any ſhire, notwithſtanding any Act Grant, &c.

XXVII. The new Juſtices now to be made by the King within Liberties ſhall ſit, where ſuch Juſtices have commonly uſed to ſit before; and none within the ſaid Liberties ſhall be compellable to appear before any other Juſtices of the ſame liberties.

XXVIII. Sir *Thomas Englefield* now Juſtice of Cheſter and *Flint* ſhall not be prejudiced by this Act.

XXIX. This Act ſhall not be prejudicial to Corporations, but they ſhall enjoy ſuch liberties, fines, iſſues, amerciaments and forfeitures, as they did before the making thereof,

XXX. The Biſhop of *Ely* and his Steward for the time being ſhall be Juſtice of Peace within the ſame Iſle, notwithſtanding this Act; ſo alſo ſhall the Biſhop of *Durham*, and his Chancellor in that County Palatine, and the Biſhop of *York* and his Chancellor in *Hexam* within that precinct.

XXXI. **Stat. 32 H. 8. 20.** The ſame franchiſes, that the late owners of Religious houſes had within three moneths before their diſſolutions ſhall be revived, and be actually in the King, and in the ſurvey of the Court of Augmentations: and the Stewards, Bailiffs, and Miniſters thereof ſhall account there, as other Officers accountants of the King in that Court have done.

XXXII. The franchiſes of the late Religious houſes, which have come to the Kings hands by attainder, ſhall be in the order of the Court

Court of general Surveyors: and the Stewards Bailiffs, and other Miniſters thereof ſhall account, there, as other officers accountants of the King in that Court have done.

XXXIII. The ſaid Stewards and other Officers ſhall be attendant and obedient in all other the King's Courts, as the Officers of the ſaid late owners were: and no Sheriff or other forreign officers ſhall intromit into their Liberties in any other manner then they lawfully might have done before the ſaid Franchiſes came into the Kings poſſeſſion.

XXXIV. Every perſon may uſe all ſuch Liberties as he hath by the King's grant or otherwiſe notwithſtanding this Act: alſo the offices, fees, and annuities, and profits of all perſons out of any of the lands of the ſaid Religious houſes are ſaved.

XXXV. Fines may be levied in the Court of augmentations of lands within that Survey to the King's uſe without fee, and the Juſtices of the Common-Pleas ſhall receive and allow the ſame: alſo all deeds and obligations made to the King's uſe, which concern the ſaid lands, may be there inrolled without fee.

XXXVI. Provided that the King's Officers may keep Court within the verge, and his Clerk of the Market, and none other execute his office, there, notwithſtanding any grant &c. Neither ſhall this Act be prejudicial to the City of London.

XXXVII. The lands of the late Monaſtery of *Furnes*, and of the late Monaſteries and Priories of *Cartmele*, *Coningſhed*, *Burſtrough*, and *Holland*, and the Liberties and Franchiſes belonging thereunto, ſhall be in the Goverment of the Officers of the Dutchy of *Lancaſter*: and the Officers of thoſe Liberties ſhall be liable to accompt, as other Officers of the Dutchy have uſed to be: they ſhall alſo be attendant on the King's Courts: and the Sheriff and other Officers are prohibited to intromit into thoſe Liberties.

XXXVIII. This Act ſhall not annul or diminiſh any of the Liberties belonging to the ſaid Dutchy, or to the five Ports, or the members thereof.

XXXIX. **The Petition of Right**, 1 *Car.* 3. None ſhall be compelled to make or yield any gift, loan, benevolence, tax, or ſuch like charge, without conſent by Act of Parliament, nor upon refuſal ſo to do ſhall be called to make anſwer, take any oath not warranted by Law, give attendance, or be confined, or otherwiſe moleſted concerning the ſame, or for refuſal thereof: Neither ſhall any free-man be impriſoned or detained without cauſe ſhewed.

XL. The ſubject ſhall not be burthened by the quarter of Soul-

diers or Marriners: and all Commissions for proceeding by Martial Law shall be annulled, neither shall any of like nature be issued out hereafter, lest the subject by colour thereof) be destroyed, or put to death, contrary to the Laws and Franchise of the Land.

XLI. What hath been done to the prejudice of the Subject in any of the premisses shall not hereafter be drawn into consequence of example, and the King declares his pleasure to be, that in the things aforesaid all his Officers and Ministers shall serve him, according to the Laws and Statutes of the Realm.

Fraudulent Conveyances.

I. Stat. 50 *E.* 3. 6. Fraudulent assurance of lands or goods to deceive Creditors shall be void, and the Creditors shall have execution thereof, as if no such gift had been made.

*II. Stat. 13 *El.* 5. All fraudulent Conveyances of lands, tenements, hereditaments, goods or chattels, and all such bonds, suits, judgments and executions made to avoid the debt or duty of others, shall (as against the party onely, whose debt or duty is so endeavoured to be avoided, their heirs, successors, executors, or assigns) be utterly void, any pretence, feigned Consideration, or, &c. notwithstanding.

III. Every of the parties to such a fraudulent conveyance, bond, suit, judgment or execution, who being privy thereunto shall wittingly justifie the same to be done *bonâ fide*, and upon good consideration, or shall alien and assign any lands, lease, or goods so to them conveyed, as aforesaid, shall forfeit one years value of the lands, lease, rent, common, or other profit out of the same, and the whole value of the goods, and also so much money as shall be contained in such covenous bond; and being thereof convicted shall suffer half a years imprisonment without bail. And here, the said forfeitures are to be divided betwixt the Queen, and the party grieved.

IV. Common Recoveries against the tenants of the free-hold shall be good notwithstanding this Act. And so shall all estates made for the procuring of a Voucher in *Formedon*: Neither shall this Act extend to grants made *bonâ fide*, and upon good considerations to persons not privy to such Collusion.

V. Stat. 27 *El.* 4. Every conveyance, grant, charge, incumbrance, and limitation of use or uses of, in, or out of any lands or other hereditaments, made to defraud any purchaser of the same in fee, for tail, for life or years, shall (as against such purchaser onely

onely, and every other perſon lawfully claiming from, by, or under him) be utterly void, the ſaid purchaſer having obtained the ſame for money or ſome other good conſideration.

VI. Every of the parties to ſuch fraudulent conveyances, or being privy thereunto, who ſhall juſtifie the ſame to be made *bonâ fide*, and on good conſideration, to the diſturbance or hinderance of the purchaſer or of any other lawfully claiming from, by, or under him, ſhall forfeit one years value of the lands or other hereditaments ſo purchaſed or charged; to be divided betwixt the Queen and the party grieved, and being thereof convicted ſhall ſuffer half a years impriſonment without bail.

VII. Conveyances made upon good conſideration and *bonâ fide* ſhall be good, notwithſtanding this Act.

VIII. If lands be firſt conveyed with clauſe, proviſion or condition of revocation, determination, or alteration, and afterwards ſold or charged for money or other good conſideration, before the firſt conveyance was revoked, altered or made void, according to the power given thereby: In this caſe ſuch firſt conveyances ſhall be void againſt the vendee, and all others lawfully claiming from, by, or under him: Howbeit no lawful mortgage, made *bonâ fide*, without fraud ſhall be impeached by this Act.

IX. All Statutes Merchant, and of the Staple, ſhall within ſix moneths after their acknowledgment be entred in the office of the Clerk of Recognizances taken according to the Stat. of 23 *H.* 8. *c.* and the Clerk there (upon ſhewing the ſame) ſhall make entry thereof, for which he ſhall have 8 d. and no more.

X. Every ſuch Statute, which is not within four moneths after the acknowledgment thereof, delivered to be entred accordingly, ſhall be void againſt the purchaſer of the lands chargeable therewith, and againſt his heirs, Succeſſors, Executors and aſſigns.

XI. The ſaid Clerk ſhall within the ſaid ſix moneths make entry of every Statute to him delivered, as aforeſaid, and ſhall indorſe thereupon the day and year of ſuch his entry with his own name, in pain to forfeit for every Statute ſo brought unto him, and not entred, as aforeſaid, 20 l. to be divided betwixt the Queen and the Proſecutor.

XII. The Clerk ſhall take for the ſearch of a Statute but 2 d. for every years ſearch, in pain to forfeit to the party grieved twenty times ſo much, as he takes above, to be recovered in any Court of Record by action of debt, &c.

XIII. Provided, that this Act ſhall not extend to make good any purchaſe made void by reaſon of any former conveyance, ſo as

the party ſo making void the ſame, his heirs or aſſignes were the firſt day of this Parliament in actual poſſeſſion of the Lands, out of which any ſuch Purchaſe, Leaſe, Charge or Profit was made.

Free-hold.

I. Marbl. *Cap.* 22. 52. *H.* 3. None ſhal diſtrain his free-holders to anſwer for their Free-holds, or for any thing touching the ſame, without the King's Writ; nor cauſe his Free-holders to ſwear againſt their wills: for none may do that without the King's commandment.

II. Stat. 15 *R.* 2. 12. None ſhall be compelled to anſwer for his free-hold, or for any other thing touching the ſame, or for any other thing real or perſonal, before the Council of any Lord or Lady; and if any be hereafter moleſted in that kind, and thereof complain to the Chancellor, he ſhall have remedy.

III. Stat. 16 *R.* 2. 2. The Statute of 15 *R.* 2. 12. ſhall be duly put in execution, and if any Lord, Lady, or other do to the contrary, they ſhall forfeit 20 *l.* to the King.

Fewel.

* I. Stat. 7 *E.* 6. 7. The Aſſize of Fuel ſhall hereafter be, as followeth; Every ſack of coal ſhall contain 4 buſhels of good and clean coal: a Talſhid ſhall contain in length four foot beſides the caſt: every Talſhid named of one ſhall within a foot of the middeſt be 16; of two, 23; of three, 28; of four, 33; and of five, 38 inches about: Alſo every billet ſhall contain in length three foot 4 inches, and being named a ſingle, ſhall contain ſeven inches and an half about, a caſt 10; and two caſts 14: likewiſe a fagot bound ſhall be three foot long, and have the bond 24 inches about, beſides the knot.

II. Billets of two caſts may be made without danger of forfeiture, they being made according to the aforeſaid Aſſize, and marked within 6 inches of the midſt: but a Billet of one caſt ſhall be marked within four inches of the end thereof.

III. For every Talſhid, Billet, Fagot, or ſack of coals otherwiſe made and put to ſale, the maker and ſeller thereof ſhall forfeit 3 *s.* 4 *d.*

IV. None ſhall buy any ſuch fuel, but Wharfingers or Bargemen or ſuch as will burn the ſame, or will retail it to ſuch as will burn it, in pain to forfeit the treble value of the fuel otherwiſe bought

neither ſhall any alter any mark or Aſſiſe of fuel upon the like forfeiture: all which forfeitures are to be divided betwixt the King and the proſecutor, but are not recoverable, unleſs proſecuted within a year after the offence committed.

V. Here if the offender be not able to ſatisfie the forfeiture, he ſhall (upon conviction by witneſs or otherwiſe) be ſet upon the Pillory in the next Market-Town on the Market-day at 11 a clock by command of a Juſtice of Peace, or any other of the King's Officers, having a Billet, or fagot bound to ſome part of his body.

VI. Stat. 43 *El.* 14. So much of the Statute of 7 *E.* 6, 7. as concerns the forfeiture of 3 s. 4 d. is repealed; But the Aſſize of Fuel ordained by that Act is ſtill continued, and injoyned to be obſerved in *London*, *Weſtminſter*, and all other Corporations where Tall-wood, Billet, and Fagots are uſed to be ſold.

VII. If any bring any Tall-wood, Billet or Fagot to any City, Burrough, or Corporation to be ſold there, or being brought ſhall put the ſame to ſale, not being made according to the Aſſize limited by the Statute 7 *E.* 6. 7. or hereafter by this Act, upon information thereof, the Mayor or other Head-officer of ſuch City, Burrough, or Corporation ſhall ſwear ſix lawful men there to inquire thereof; And if the ſaid Fuel ſhall by them be found faulty, it ſhall be by ſuch Mayor or other Head-officer delivered to the Overſeers for the poor there, to be diſtributed to the poor there, as the ſaid overſeers ſhall think fit.

VIII. Every Tall-ſhid marked *one*, being round-bodied ſhall contain 16 inches and an half in compaſs, being half round, 19; and quarter cleft, 18 inches and an half: being marked *two*, and round 23 inches; half round, 27; and quarter cleft 26; marked *Three*, and round, 28. half round. 33; quarter cleft. 32: marked *four* and round, 33; half round 39; quarter cleft, 38: and marked *five*, and round, 38; half round, 44; and quarter cleft. 43; all which are to be meaſured about within ſix inches of the midſt thereof, and are to contain the length limited by the Statute of 7 *E.* 6. 7.

IX. In all other forms of cleaving of Tall-wood, which will not admit the former manner of cleaving, nor any of theſe, the letter of the ſaid Statute of 7 *E.* 6. is to be obſerved.

X. Every Billet named a ſingle, ſhall contain in compaſs, being round, 7 inches and an half, and no ſingles ſhall be made out of cleft-wood.

XI. Every Billet marked *one*, (called a *caſt*) being round ſhall contain in compaſs 11 inches; half round, 11; quarter cleft, 12

and an half, and marked *two* (called *two casts*) being round ſhall contain in compaſs 16 inches; half round, 19; and quarter cleft 18 and an half; and in all other forms of Billet, which will not admit the former manner of cleaving, and touching the length of Billet, the letter of the ſaid Statute of 7 *E.* 6. is to be obſerved.

XII. A Fagot ſhall contain in compaſs (beſides the knot, 24 inches, and every fagot-ſtick ſhall be three-foot long, except one, which may be but a foot long, to ſtop and harden the binding of the fagot the better.

☞ Fuſtions.

* I. Stat. 11 *H.* 7. 27. None ſhall dreſs Fuſtions with any other Inſtruments then the broad Sheers, in pain of 20 *s.* for every ſuch default, to be divided betwixt the King and the proſecutor.

II. The Maſter and Wardens of Sheermen in *London* ſhall have power to ſearch the workmanſhip of ſuch as uſe the broad-ſheer, as well for Fuſtion as Cloth; and this Act ſhall be executed as well againſt denizens as ſtrangers.

* III. Stat. 32 *El.* 13. The Mayor of *London* or his Deputy, and the Maſter and Wardens of the Myſtery of Cloth-workers there, or ſuch diſcreet perſons as the ſaid Maſter and Wardens ſhall appoint may make ſuch ſearch as the ſaid Maſter and Wardens of Sheer-men might do together by the Statute of 11 *H.* 7. 26. And none ſhall reſiſt ſuch ſearch, in pain of 20 *s.* to be divided betwixt the King and the proſecutor.

Gaming: *See* Plaies and Games.

Gauging.

* I. Stat. 17 *E.* 3. 8. *Stat.* 1. ALl Wines white and red brought into the King's Dominions, ſhall be lawfully gauged by the King's Gaugers or their Deputies; and none ſhall reſiſt them, in pain to forfeit the Wines, to be impriſoned, and to be ranſomed at the King's will.

II. If the Gauger be not ready to do his office upon requeſt, or uſe fraud therein, he ſhall pay to the party grieved treble damages,

mages, loſe his Office, and be impriſoned, and ranſomed at the Kings will.

III. If the veſſel want due meaſure, the value of that want ſhall be deducted out of the price thereof.

*IV. Stat. 31 E. 3. 5. If any ſell a tun or pipe of wine not gauged, he ſhall forfeit the ſame wine or the value thereof to the King.

*V. Stat. 4 R. 2. 1. The former Statutes made for gauging ſhall be duly put in execution: and all other veſſels of Wine, vinegar, oyl, honey, and other liquors gaugable (brought into the King's Dominions) ſhall be lawfully gauged by the gaugers thereunto aſſigned, or their Deputies; and if any reſiſt them, or if they be found faulty, both the one and the other ſhall incur the pains ordained by the former Statutes.

VI. Stat. 14 R. 2. 8. None ſhall be moleſted for not gauging of Reniſh wines, nor incur any forfeiture for the ſame, otherwiſe then hath been uſed of old time.

VII. Stat. 18 H. 6. 17. All Tuns, Pipes, Tertians, and hogheads of Wine and Oyl (to be ſold within the Realm) ſhall be lawfully gauged by the King's Gauger or his deputy before they be ſold, in pain to forfeit to the King the Wine, Oyl & honey otherwiſe ſold, or the value thereof.

VIII. If any ſell any ſuch veſſel wanting the due meaſure, he ſhall abate ſo much of the price as it wants of meaſure, in pain to forfeit to the King the value of ſuch Wine, Oyl, or Honey otherwiſe ſold.

IX. The Informer who will diſcover ſuch forfeitures to the lord Treaſurer, or Barons of the Exchequer ſhall receive half thereof for his labor.

X. Stat. 23 H. 6. 16. The Gauge-peny ſhall not be paid to the Gauger, or any other in his name, before he or his Deputies have gauged the wines, and then he may take it and no more.

XI. He or his Deputy ſhall (upon requeſt) be ready to do their office: and this Act is to be obſerved throughout the Realm, upon the pain comprized in the Statute of 27 E. 3. 8.

XII. Stat. 31 E. 8. No Brewer ſhall ſell or put to ſale in *London*, the ſuburbs, or within 2 miles compaſs of the Suburbs any Beer or Ale in Buts, Pipes, Punchions, Hogſ-heads, Tiercies, or ſuch other veſſel brought from beyond Sea, and never lawfully gauged within this Realm, before the ſame be lawfully gauged, and the true content thereof ſet down thereupon (by the Gallon appointed for Beer and Ale, according to the Standard) by the Maſter and Wardens of the *Coopers* of the City of *London*, or their Deputies: neither

thes ſhall any Brewer ſell or put to ſale any Beer or Ale, in ſuch veſſel elſewhere in *England* or *Wales* before the ſame be lawfully gauged, and the true content thereof ſet thereupon, by ſuch as by the Statute of 23 *H.* 8. 4. (which ſee in *Coopers*) are to have the Gauging of Barrels, Kilderkins, and Firkins elſewhere in *England* and *Wales*, in pain to forfeit every ſuch veſſel, and alſo the Beer and Ale therein, to him that will ſeize the ſame, and beſides 10 s. for every ſuch veſſel: all which forfeitures are to be divided betwixt the Queen and the proſecutor.

XIII. The fees of the Gauger ſhall be for every But or Pipe, a peny, for every Punchion, Hogs-head or Tierce an half-peny, and for every other veſſel after the like rate.

XIV. This Act ſhall extend to Denizens as well as to ſtrangers; and the Gauger may retain the veſſel, until he be paid his fee.

XV. The Maſter and Wardens of the Coopers, in *London* or their Deputies or Deputy within 48 hours after requeſt to them made ſhall come to any perſon in *London*, or the precinct aforeſaid, and ſhall gauge and mark his veſſel, in pain of forfeiting to him that makes ſuch requeſt 20 s. to be recovered by action of debt, &c.

XVI. This Act ſhall not extend to puniſh the Brewer that ſhall fill veſſels, which are imported, and after they are ſo filled are immediately to be exported to be ſent elſewhere out of this Realm.

Gigmills.

I. Stat. 5, 6 *E.* 6. 22. None ſhall uſe any Gigmill for the working of any Woollen Cloth, in pain to forfeit for every Cloth ſo uſed 5 l. to be divided betwixt the King and the proſecutor.

☞ Gold, Silver, and Gold-ſmiths.

I. Artic. ſup. Catt. cap. 20. 28 *E.* 1. None ſhall make or cauſe to be made any veſſel, jewel, or other thing of Gold or Silver, except it be of good and true allay, *viz.* gold of a certain touch and ſilver of the Sterling allay or better, and none ſhall work worſe ſilver then money.

II. No veſſel of ſilver ſhall depart out of the worker's hand, untill it be aſſayed by the Wardens of the craft and marked with the Leopards head: neither any work worſe gold then of the touch of *Paris*: and the ſaid Wardens ſhall go from Shop to Shop to aſſay gold, whether it have the right touch and if any other be found, it ſhall be forfeit to the King.

III.

III. None ſhall make rings, croſſes, or locks, nor ſet any ſtone in gold; unleſs it be natural: And Gravers of ſtones and ſeals ſhal give to each their weight of Silver and Gold, as neer as they can.

IV. The Jewels of baſe Gold. which they have they ſhall utter as ſoon as they can, and if they buy any ſuch work hereafter, they may buy it to work upon, but muſt not ſell it.

V. The Gold-ſmiths of all other places in *England* ſhall be governed by this Law, and one ſhall come from each Town to *London* to be aſcertained of their touch.

VI. If any Gold-Smith offend againſt this Law, he ſhall ſuffer impriſonment, and be ranſomed at the King's will.

VII. This Act ſhall not impeach the King's prerogative.

VIII. **Stat.** 27 *E.* 3. 14. All Merchants, Denizens and ſtrangers may import plate of Silver and billets of Gold, and all other Gold and Silver to the Kings Bullion or his Exchanges, taking their Gold or Silver equal to the value; And any man may take forreign coin without impeachment, yet he may refuſe is if he pleaſe.

IX. No coin ſhall be currant in the King's Dominions, but his own; neither ſhall any export Gold ſterling or other money, ſave onely that which is new, except Merchants ſtrangers, who importing money, will imploy the ſame within this Realm, in which caſe they may export without impeachment ſo much as they import, or ſo much thereof as ſhall not be ſo imployed: Howbeit lawful ſearch thereof ought to be made in the Port where they arrive, & the money ſo imported muſt be put in writing by the ſearchers, to the end they may not export more then they import; but here, no officer (by color of ſuch ſearch) ſhall unduly vex the merchant ſtranger.

X. All falſe money ſhall be forfeited to the King.

* XI. **Stat.** 7. *E.* 37. Every Gold-ſmith ſhall make his work of Silver lawfully of the Allay of good ſterling, and ſhall have a proper mark by himſelf, made known to ſuch as ſhall be aſſigned by the King to ſurvey his work or allay.

XII. The Gold-ſmith ſhall not ſet his mark thereunto, untill the ſurveyors have made their eſſay, as ſhall be ordained by the King and his Council: And when the eſſay is made, the ſurveyors ſhall ſet to the King's mark, and after the Gold-ſmith his mark.

XIII. No Gold-ſmith ſhall take for veſſel white and full for the weight of a pound (*viz.* of the price of two marks of *Paris* weight) but 18 pence, as they do at *Paris*.

XIV. If the Gold-Smith be found in default, he ſhall forfeit his Falſe metal to the King.

* XV. **Stat.** 5 *H.* 4, 13. None ſhall gild any Rings or other things made of Copper or Lattin, ſave onely ornaments of the Church (be-

ſides Challices, the metal plainly appearing in ſome part thereof) in pain to forfeit 5 l. to the King, and damages to the party deceived by them.

XVI. Stat. 2 *H.* 5. *Stat.* 2. *cap.* 4. Goldſmiths ſhall gild no Silver wares, but of the allay of Sterling; and ſhall not take above 4 s. 8 d. for a pound of Troy Silver ſo guilt, and for more or leſs after the ſame rate, in pain to forfeit to the King the value of the thing otherwiſe ſold.

* XVII. Stat. 8 *H.* 5. 3. None ſhall gild ſheaths, or any metal but Silver, and the ornaments of holy Church; neither ſhall any Silver, any metal but Knights ſpurs, and the apparel pertaining to a Baron or above that eſtate, in pain to forfeit ten times the value of the thing ſo gilt, and to ſuffer a years impriſonment, he alſo that will ſue for the ſaid forfeiture ſhall have a third part thereof for his pains.

☞ XVIII. Juſtices of Peace have power to hear and determine, the offences committed againſt this Act.

* XIX. Stat. 2 *H.* 6. 14. None ſhall ſell any work of Silver, unleſs it be as fine as ſterling, except what ſowder is neceſſary to be uſed therein, for which allowance ſhall be made accordingly.

XX. None ſhall put to ſale any Silver harneſs in *London* before it be touched, and alſo marked with the Goldſmith's mark, firſt made known to the Wardens of that Craft, in pain to forfeit the double thereof.

XXI. If the Keeper of the Touch mark ſuch harneſs with the Leopards head, which is not as fine as ſterling, he ſhall forfeit the double value thereof to the King, and damages to the party grieved.

XXII. *York*, *Newcaſtle*, *Lincoln*, *Norwich*, *Briſtol*, *Saliſbury*, and *Coventry*, ſhall have ſeveral touches (according to the Ordinances of the chief Officers there) which ſhall be directed by the orders of *London* upon the like forfeiture.

XXIII. No Goldſmiths elſewhere, where there is no touch ſhall put to ſale any work of Silver under the fineneſs of ſterling, and ſhall ſet their mark thereupon before they ſo put it to ſale, upon the like forfeiture.

☞ XXIV. All Juſtices of Peace may hear and determine the offences committed againſt this Act: Howbeit, if the Mint-maſter offend, he ſhall be puniſhed according to the form of his Indentures. *Vide Stat.* 2 *H.* 6. 12. in title *Money*.

* XXV. Stat. 4 *H.* 7. 2. No Finer of Gold and Silver ſhall allay any fine Silver or Gold, nor ſell it, (ſave onely to the Officers of the Mint, Changers, and Goldſmiths for the amending of Coin and Plate,

plate, for which he ſhall receive the true value) in pain to forfeit the value of the Gold or Silver ſo allayed or ſold, to be divided betwixt the King and the finder.

XXVI. Neither ſhall any ſuch Finor ſell any ſilver in maſs molten, and allayed, in pain to forfeit the ſame, to be divided betwixt the King and the finder.

XXVII. All fine Silver, which is to be parted, ſhall be made ſo fine, that it may bear 12 peny weight of allay in a pound weight, and yet remain as good as ſterling: and every Finor ſhall put his ſeveral mark upon ſuch fine Silver, in pain to forfeit the value thereof, to be divided betwixt the King and the finder.

XXVIII. No Gold-ſmith ſhall melt or allay any fine Silver, except it be for making Amels, Gold-ſmiths work, or mending of Plate to make it as good as ſterling, neither ſhall he ſell any fine or allayed Silver molten into maſs to another Goldſmith, and to any other perſon whatſoever.

XXIX. This Ordinance ſhal be obſerved by all Goldſmiths, in pain to forfeit their Silver or the value thereof, to be divided betwixt the King and the finder.

* XXX. **Stat.** 18 *El.* 15. No Goldſmith ſhall work, ſell, or exchange any Gold-Smiths ware of Gold under 22 carets fine, nor ſhall put more ſother, amel, or other ſtuffings in his work then is neceſſary for the finiſhing thereof; neither ſhall he take above 12 d. for the ounce of Gold (beſides the faſhion) more then the buyer may be allowed for it at the Queen's exchange or Mint, in pain to forfeit the value of the thing ſold or exchanged.

XXXI. No Gold-ſmith ſhall make ſell or exchange any Gold-ſmiths ware of Silver leſs in fineſs then 11 ounces and two peny weight, or take above 12 d. for every pound weight of ſuch ware (beſides the faſhion) more then the buyer may be allowed for it at the Queen's exchange or mint, nor put to ſale any Silver work, before he hath ſet his own mark to ſo much thereof as may conveniently bear the ſame, in pain to forfeit the value of the thing ſo ſold or exchanged,

XXXII If any Gold-ſmiths work be marked and allowed by the Wardens or Maſters of that Myſtery, and be afterwards found faulty; the Wardens and Corporation of the ſaid Myſtery ſhall forfeit the value of the thing ſo ſold or exchanged.

XXXIII. The ſaid forfeitures are to be divided betwixt the Queen and the party grieved.

XXXIV. **Stat.** 14 *Car.* 2. *cap.* 3. None ſhall melt any Currant money of this Realm, upon penalty of the double value, beſides the coyn melted.

XXXV.

XXXV. Perſon offending therein, if free-men of any City or Corporation ſhall be diſfranchiſed and diſabled from uſing any trade and not being free-men of any Corporation ſhall ſuffer ſix moneths imprisonment.

Grants.

I. Stat. 3. 4 *E.* 6. 4. An exemplification of the inrolment of the King's Letters Patents under the Great Seal ſhall be of a good force to be ſhewed or pleaded in behoof of the Patentees, their heirs, ſucceſſors and aſſigns, or of any other having any ſtate from, by, or under them, or any of them; or by any other means under the date of ſuch Letters Patent,, as if the Letters Patents themſelves were produced.

II. Stat. 13 *El.* 6. An exemplification of the inrolment of the Letters Patents by *H.* 8. *E.* 6. Qu. *M. Ph.* & *M.* Qu. *El.* or any of them ſince the 4th of *Febr.* in the 27 year of *H.* 8. or hereafter to be granted by the Queen, her heirs or ſucceſſors ſhall be of as good force to be ſhewed or pleaded in behoof of the Patentees, their heirs, ſucceſſors and aſſigns, and every other perſon having any eſtate from, by, or under them, or any of them, as well againſt the Queen, her heirs and ſucceſſors, and againſt all other perſons whatſoever, as if the Letters Patents themſelves were produced.

☞ Gunpowder.

I. Stat. 16. 17 *Car.* 21. An Act for the free bringing in of Gunpowder and Salt-peter from forreign parts, and for the free making of Gunpowder in this Realm: *See the Statute at large. And ſee title Cuſtomes and Cuſtomers, num.* XXXIV.

Hats and Caps.

I. Stat. 8 *El.* 11. NOne by himſelf or any other ſhall work Hats of Felts with forreign wool or ſtuff, unleſs he hath been Apprentice or Covenant-ſervant ſeven years at leaſt to the myſtery of Hat or Felt-making, in pain to forfeit the Hats or Felts he ſhall make or cauſe to be made, and alſo 5 l. for every moneth he ſhall ſo continue.

II. None ſhall make, ſell, or cauſe to be made or ſold any thing of Felt but Hats; nor any cap of any wollen cloth not knit, nor dye

or cauſe to be dyed any Cap with bark or ſwarfe, but onely with Copperas and Gall, or with Woad and Madder.

III. None ſhall full in any Mill any Cap, untill it be firſt well ſcoured and cloſed upon the bank, and half thicked (at leaſt) in the foot-ſtock.

IV. The Maſter and Wardens of Haberdaſhers in *London*, calling to them one of the Company of Cappers, and another of the Hatmakers ſhall have power to ſearch (in *London*, and within three miles round) all Cappers and Hatters, and to puniſh them that offend by fines or otherwiſe, as they do other offenders in that Company. The like alſo ſhall be done by Mayors and other Head-officers in other Cities and Corporations elſewhere.

V. No Hat-maker ſhall retain above two apprentices at once, take any for leſs time then ſeven years, in pain to ſuffer for every apprentice otherwiſe taken a moneths impriſonment without bail, and every ſuch taking ſhall be void; and the party ſo taking ſhall be from henceforth diſabled to have any more apprentices then one.

VI. This Act ſhall not reſtrain a Felt or Hat-maker to imploy his own children, nor extend to the making of Hats with Worſted yarn in *Norwich*.

* VII. Stat. 1 *Jac.* 17. The forfeitures and penalties given by the Statute of 8 *El.* 11. and alſo by this preſent Statute ſhall be divided betwixt the King and the proſecutor.

VIII. None ſhall make or cauſe to be made any Felt or Hat, unleſs he hath ſerved ſeven years as an apprentice in Felt-making, neither ſhall he retain any other then Journey-men who have lawfully ſerved in that art, and apprentices lawfully bound to the ſame, nor have above two apprentices at once, nor thoſe for leſs time then ſeven years; in pain to forfeit five pounds for every moneth he offends contrary to this Statute.

IX. None ſhall retain in the art of Hat or Felt-making any perſon born out of the King's Dominions, in pain to forfeit five pounds for every moneth he ſo continues him.

X. This Act ſhall not prohibit parents lawfully exerciſing the ſaid art, to imploy their ſons in their own houſes, ſo that they be bound apprentices by Indenture for 7 years, which may not expire, untill they attain the age of 22 years.

XI. Felt-makers at the time of this Statute, and their ſervants may ſo continue, albeit they have not ſerved ſeven years as apprentices.

☞ Havens,

Havens, Harbours, and Rivers.

I. Stat. 2 *H.* 6 15. None ſhall faſten Trinks or other Nets over Rivers to the deſtruction of the frie of fiſh, and diſturbance of the common paſſage of veſſels, in pain to forfeit 5 l. to the King: Howbeit they may uſe them in ſeaſonable times, ſo they draw them as other fiſhers do their nets without faſtning them, as aforeſaid: And here every man's right of fiſhing is ſaved.

II. Stat. 4 *H.* 7. 15. The Mayor of *London* and his ſucceſſors ſhall have the like conſervation and authority in all the iſſues, breaches and ground overflown, as far as the water ebbeth and floweth, grown out of the River of *Thames* (as touching the puniſhment for uſing unlawful nets and engines) as he hath within the ſame River.

* III. Stat. 23 *H.* 8. 8. & 27 *H.* 8. 23. Two ſeveral Acts were made to the ſame effect, for preſervation of the Havens and Ports of *Plymouth*, *Dartmouth*, *Tinmouth*, *Falmouth*, *Fowet* and other Ports in *Devon* and *Cornwall*: and that none ſhould labour in Tinworks neer the freſh Rivers of thoſe Havens: and thoſe who labour in Tinworks ſhould prevent the falling of ſtones and gravel into thoſe Havens upon a forfeiture: Alſo, if any ſhould be troubled in the Stannery for executing this Act, ſuch ſuite ſhould be void, ☞ and if any ſhould be impriſoned by the Stannery, he ſhould be diſcharged by a Juſtice of Peace: ſaving the liberties of the Stanneries: *See the Statutes at large.*

* IV. Stat. 13 *H.* 8. 18. No Fiſh-garthes or other engines ſhall be ſet in *Ouſe* or *Humber*: and with what nets men ſhall fiſh there: *See this Statute at large.*

* V. Stat. 27 *H.* 8. 18. If any perſon do or procure any thing to be done to the annoying of *Thames*, making of ſhelves there, by mining, digging, caſting of dung, rubbiſh, or other thing therein, or otherwiſe howſoever: Or convey away any boards, ſtakes, timberwork, pillars, or other things from the banks or walls thereof, except it be to repair them; or undermine any banks or walls there to the damage of the ſaid River: he ſhall forfeit for every ſuch offence 5 l. to the King and the Mayor and Commonalty of *London*, to be recovered by the ſaid Mayor and Commonalty.

VI. This Act ſhall not reſtrain the taking of ballaſt for ſhips in the ſhelves neer the *Thames*, nor to carry away the gravel, earth, or rubbiſh found in the ſaid ſhelves.

VII. Stat. 31 *H.* 8. 4. The Mayor and Bailiffs of *Exceſter* may break all weares and other lets in the River of *Exe*, and ſhall pay

to

to the owners and Fermors of ſo much ground as they ſhall digge, the rate of 20 years purchaſe, or ſo much as ſhall be adjudged by the Juſtices of Aſſize in the County of *Devon*. *See this alſo at large.*

VIII. **Stat.** 34 *H.* 8. 9. None ſhall caſt or unlade out of any ſhip or veſſel in any Haven, Rode, Channel, or River flowing or running to any Port, Town, City, Burrough, or other Town, any ballaſt, rubbiſh, gravel, or other wrake or filth, but onely upon the land above the full Sea-mark, in pain of 5 *l.* to be divided betwixt the King and the proſecutor.

IX. **Stat.** 27 *El.* 20. It ſhall be lawfull for the Mayor and Commonality of *Plimouth* to dig a trench 6 or 7 foot broad through all grounds lying betwixt *Plimouth* and any part of the River of *New*, for conveying that River thither, and to repair it, and to do all other things neceſſary for the ſame, they paying the owners and farmers of the grounds ſo to be digged the value thereof to be aſſeſſed by two Juſtices of Aſſize. Howbeit that water ſhall not be conveyed through any Orchard, Garden, or to the hindrance of any Mill without the owners conſent.

X. **Stat.** 27 *El.* 21. An Act concerning *Oxford* Haven in *Suffolk*.

XI. **Stat.** 27 *El.* 22. An Act for making a new channel from the City of *Chicheſter* to the ſuburbs there: *See theſe two laſt ſtatutes at large.*

XII. **Stat.** 3 *Jac.* 18. An Act for the making of a new trench to convey the water from *Cadwell* and *Amwell* to *London*.

XIII. **Stat.** 4. *Jac.* 12. An Act for the explanation of the *Stat.* of 3 *Jac.* 18. and to give power to the Mayor and Commonalty of *London* to convey the ſaid water in a trunk or vault.

XIV. **Stat.** 14 *Car.* 2. *cap.* 27. An Act for repairing of *Dover* Harbour, and for ſuch proviſion as was made by an Act 1 *Jac. cap.* 31 (exp.) certain duties are impoſed, the Owners and Maſters of Ships repairing thither to be paid to the Treaſurer of the ſaid harbor, by the Collectors appointed for the ſame.

XV. The Maſter and Wardens of the Trinity houſe *London* appointed to overſee the works of the ſaid Harbour and to call the Treaſurer and Collectors to accompt yearly for 7 years.

XVI. The Harbour being repaired the ſaid Maſter and wardens, are to inform the Lords of the Privy council, who may thereupon ſuſpend further payments upon this Act.

XVII. *Proviſo*, To exempt from any payment, all Ships and veſſels belonging to the Ports of *Weymouth*, and *Melcomb Regis*, and *Lyme Regis*, and not to extend to any Collection exceeding 22000 l. and then to ceaſe.

See title *Dover*.

Hawks and Hawking.

I. Stat. 34 E. 3. 22. A Hawk taken up ſhall be delivered to the Sheriff, who after Proclamation made in the good Towns of the County (if challenged) ſhall deliver her to the right owner.

II. If the Hawk were taken up by a mean man, and be not challenged within four moneths, the Sheriff ſhall retain her, ſatisfying the party for taking her: But if by a man of eſtate, who may conveniently keep an Hawk, the Sheriff ſhall reſtore her to him again, he anſwering for the charge of keeping her.

III. If any do take away or conceal a Hawk, he ſhall anſwer the value thereof to the owner, and ſuffer two years impriſonment, and in caſe he be not able to anſwer the value, he ſhall remain in priſon a longer time.

IV. Stat. 37 E. 3. 19. He that ſteals and carries away an Hawk, not obſerving the ordinance of 34 E. 3. 22. ſhall be deemed a Felon.

Hexhamſhire.

I. Stat. 14 El. 13. *Hexham* and *Hexamſhire* with the liberties thereof ſhall be within the County of *Northumberland*.

Hides *ſee* Leather.

High-wayes.

I. Stat. 14. 15 H. 8. 6. An Act was made for the altering of the High-ways in the Weald of *Kent*. *See the Statute at large.*

II. Stat. 26 H. 8. 7. The Stat. of 14. 15 H. 8. ſhall extend to *Suſſex*.

III. Stat. 37 H. 8. 3. An Act for the keeping of *Huntington* lane near *Cheſter* in good repair. *See the Statute.*

IV. 1 M. Parl. 2. cap. 5. Juſtices of the Counties of *Dorſet* and *Somerſet* ſhall aſſeſs thoſe Countreys, towards the repair of the cawſey lying betwixt *Shaftsbury* and *Sherborn*. *See the Statute.*

V. Stat. 2. 3 P. M. 8. The Conſtable, and Churchwardens of every Pariſh ſhall yearly upon Tueſday or Wedneſday in *Eaſter*-week call together ſome of their neighbours, and then make choice of two within the Pariſh to be Surveyors of the High-ways the year following, who ſhall forthwith take that office upon them, in pain to forfeit 20 s. apiece: The ſaid Conſtables and Churchwardens ſhall then alſo nominate four days betwixt that time and *Midſummer* to be ſet apart for the amendment of the High-ways, and

ſhall

ſhall give publick notice thereof in the Church the next Sunday after *Eaſter*.

VI. The Officers and days being thus appointed, every one having a team, or Plough-land either in arable or paſture, is chargable to ſend 2 able men with a team and tools convenient to work 8 hours upon every one of thoſe 4 days, in pain to forfeit 10 s. for every day that default is made: And every Cottager is bound to work himſelf, or to find a ſufficient labourer to work for him, as aforeſaid in pain to forfeit 12 d. for every day.

VII. The Surveyors have power to appoint inſtead of a team, two able labourers to work, as aforeſaid, who ſhall not fail, in pain that the party, who ſhould ſend them, ſhall forfeit 12 d. for every day that either of them makes default.

VIII. Stewards in Leets have power to enquire after the breach of this Act, and to ſet fines upon ſuch as make default at their diſcretion, and ſhall within ſix weeks after *Michaelmas*, deliver indented eſtreats thereof under their hands, and ſeals, *viz.* one to the Bailiff or High-Conſtable of the Liberty, and the other to the Conſtables and Church-wardens of the pariſh, where the default was made.

IX. In default of preſentment thereof in Leets the Juſtices of Peace in ſeſſions ſhall inquire thereof, and ſet ſuch fines as they or two of them (1 Qu.) ſhall think fit, whereof the Clark of the Peace ſhall alſo deliver indented eſtreats under his hand and ſeal, in like ſort as aforſaid.

X. Their eſtreats ſhall be a ſufficient warrant for the Bailiff or Chief Conſtable to levy the ſaid fines by way of diſtreſs; and if no diſtreſs can be found, or the party do not pay the fine within 20 days after lawful demand thereof, he or they ſhall Forfeit double ſo much: All which fines and Forfeitures ſhall be imployed towards the amendment of the High-ways.

XI. The Bailiff or High-Conſtable, ſhall yearly betwixt the firſt of *March* and the laſt of *April*, render unto the Conſtables and Church-wardens, unto whom the other part of the eſtreats was delivered a true accompt of the money received by him in pain of 40 s. and the ſaid Conſtables and Church-wardens have power to call the ſaid Bailiff or High-Conſtable before two or more Juſtices of Peace (1 Qu.) to Paſs his accompt, who have power to commit him untill he ſhall have ſatisfied all the arrearages by him received, ſave 8 d. in the pound for his own fee, and 12 d. in the pound for the fee of the Steward or Clark of the Peace, and in this caſe the ſucceeding Conſtables and Churchwardens have the ſame power, that their predeceſſors had.

*XII. Stat. 5 El. 13. It shall be lawful for the Surveyors to turn a water-course (hurtful to the High-way) into any man's ditch, or to take rubbish ready digged in or near any man's quarter; and for default of gravel, &c. elsewhere to dig in any several ground, so they forbear to dig in Houses, Orchards, Gardens, and Meadows, or to make a pit above 10 yards: but if they fill not the place again with earth (to be done at the costs of the Parish) within one moneth after it shall be so digged, they shall forfeit 5 marks to the owner of the ground, to be recovered by Action of debt.

XIII. The hedges and ditches adjoyning to the High-way shall be kept low and scoured, and the trees and bushes growing in the High-way cut down by the owners of the grounds, which shall be inclosed by the said hedges and ditches.

XIV. Instead of the four days appointed by the *Stat.* of 2, 3 *P.M.* 8. 6. days shall hereafter be observed.

XV. The Surveyors, or one of them, shall present every default within one moneth after it shall be made to the next Justice of Peace, in pain of 40 s. and the said Justice of Peace shall certifie the same presentment at the next General Sessions, in pain of 5 l. where the Justices shall have power to inquire of the default, and shall set such fine upon the Delinquent, as they, or two of them, (1 *Qu.*) shall think fit.

XVI. Here the presentment of a Justice of Peace in Sessions, upon his own knowledge shall be a good conviction, whereupon the Justices in Sessions or any two of them (1 *Qu.*) may assess a fine, as well as upon a verdict of 12 men: Howbeit the Delinquent shall here be admitted to his traverse, as in other cases.

XVII. The fines assessed in Sessions shall be estreated by the Clerk of the Peace levied, accounted and imployed, as by the *Stat.* of 2, 3 *P. M.* 8. is provided.

XVIII. Stat. 18 *El.* 10. A Subsidy-man according to 5 l. in goods or 40 s. in lands, not chargeable towards the High-ways by the Stat. of 2, 3 *P.M.* 8. shall find two able men to labour in the ways, as by the said Statute is appointed.

XIX. Every person having a Plough-land in several Parishes shall be chargeable with a team or draught in that Parish onely, where he dwels: Howbeit having intire Plow-lands in several Parishes, he shall for every one of them find a team in the several Parishes where they lie, although he be not inhabitant there.

XX. Every person not scouring his Ditches, or not keeping low his hedges, trees, and bushes according to the Statute of 5 *El.* 13. shall forfeit for every such default 10 s. and he that scours not his ditches in the ground next adjoyning to the ground, which is next

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the High-way, to the end the water may have the better paſſage over the ſaid ground next the High-way, ſhall forfeit 12 d. for every rod ſo left unſcoured.

XXI. None ſhall caſt the ſcouring of his ditch into the high-way and ſuffer it to lie there ſix moneths, in pain to forfeit 12 d. for every load, and it ſhall be lawfull for the Surveyors to make ſluces, where any ſuch banks have been heretofore caſt up.

XXII. The penalties forfeited upon this Statute ſhall be levied by the Surveyors for the time being by diſtreſs and ſale of goods, and ſhall be imployed towards the amendment of the High-ways: but if the Surveyors neglect to do it within one year after the offence committed, the Conſtable and Churchwardens ſhall do it according to the proviſions of the before-recited Statutes.

XXIII. Juſtices of Aſſize, *Oyer* and *Terminer*, Juſtices of Peace in Seſſions, Stewards in leets; have power to hear and determine the ſaid offences.

XXIV. Certain proviſions for the repair of *King's-Ferry* in the Iſle of *Sheppey*, and of the ways leading thereunto.

XXV. Stat. 39 *El.* 19. An Act for the repair of the High-ways in the weilds of *Suſſex*, &c. uſed for Iron-works, wherein Juſtices of Peace have power to meddle, *See the Statute at large.*

* XXVI Stat. 13 & 14 *Car.* 2. *Cap.* 2. *Stat.* 2. Commiſſioners to be appointed by the King, under the great ſeal for ſurveying, ordering, enlarging, amending, making or cleanſing any Vaults, Sinks, or Sewers, Pavements and amoving any nuſance or encroachments, by Sheds, Stalls, poſts, or Walls, within *London* and *weſtminſter.*

XXVII. Provided, ſuch nuſances which be above 30 years ſtanding ſhall not be removed without ſatisfaction to the occupiers, to be given by the Commiſſioners and upon difference of how much, the Barons of the Exchequer to determine the ſame.

XXVIII. Timber and irregular buildings to be prevented and upon conviction by view of the Commiſſioners or any 5 of them, to be removed within one Moneth after notice, upon pain of 40 s they ſhall after continue.

XXIX. Certain High-ways, and new built ſtreets about *London*, to be repaired and payed, by the Commiſſioners, at the charge of Owners of houſes thereto adjoyning.

XXX. Every load of Hay ſtanding to be ſold upon any the places new payed ſhall pay 6 d. and every load of Straw 2 d. towards paving and maintaining the ſame; the ſame and all fines, rents and penalties upon this Act, to be levied by diſtreſs, and in default of diſtreſs, impriſonment of the offendors.

XXXI. The Commiſſioners for the Streets and ways, may appoint a Clark and Collector, Rakers, or Carriers away of the aſhes and Filth, and Scavengers, and call them to an accompt, and may hear and determine all differences concerning paving and cleanſing the Streets.

XXXII. Scavengers, and Rakers, may appoint fitting publick and vacant places to lay the aſhes and Filth of the ſtreets in, and may paſs through any Wharfs, Dock, or Yards, with the ſame giving ſatisfaction to the owners of ſuch yards, upon any difference or unreaſonable demand for ſuch paſſage to be aſcertained by the ſaid Commiſſioners, wherein upon any wrong the party injured may appeal for relief by petition to the Lord Treaſurer and Barons of the Exchequer.

XXXIII. The Commiſſioners to be accomptable for all rents, fines, and profits in the Exchequer, and there to deliver in an accompt every *Trinity* Term.

XXXIV. All Streets, Lanes, Allies, and places within *London* and *Weſtminſter*, Borough of *Southwark*, and places adjacent to be cleanſed of all Aſhes, Dirt, and Filth, twice every week.

XXXV. None ſhall caſt or lay before their doors or walls, any Sea-cole aſhes, Dirt or Filth, upon pain of 5 s. nor before the houſes or walls of their neighbours, nor before any Church, Church-yard, the King's houſes, nor caſt the ſame into any publick ſink or vault, within *London*, or *Weſtminſter*, or *Southwark*, upon pain of 20 s. for every offence, and all Churchwardens, Keepers of *White-hall*, Porters of Noble-men's houſes, and Keepers of Courts of Juſtice, ſhall be liable to the like penalty for their neglect therein.

XXXVI. None ſhall keep or cleanſe Barrells, nor mend Coaches or hew Timber in the Streets upon pain of 20 s. for every offence.

XXXVII. Rakers and Scavengers ſhall bring carts every day to receive and carry away Aſhes and Filth, upon pain of 40 s. for every neglect therein.

XXXVIII. Every Juſtice of either Bench, Baron of the Exchequer, and Juſtices of the Peace, of *London* and *Weſtminſter*, have power upon their own view or proof by one witneſs upon oath to convict perſons offending againſt this Act; and to diſpoſe the penalties towards mending and cleanſing the Streets, if upon proof, half to the party informing: if upon conviction by view, then the whole towards repairing and cleanſing the ſtreets, or ways, to be levied by warrant from any ſuch Juſtice under his hand and ſeal, directed to the Conſtable or other Officer of the ſame pariſh, by diſtreſs and ſale of his goods, and for default (if no Peer) impriſonment untill payment.

XXXIX.

XXXIX. Scavengers and Rakers within *London*, to be elected, and rates Aſſeſſed for their wages, according to the ancient cuſtom, and new meſſuages to be rated as others; and ſo alſo within the City of *weſtminſter*, in all other Pariſhes and places as formerly to be choſen upon every Tueſday or Wedneſday in *Eaſter* week, and two Tradeſmen ſhall be Scavengers in every Pariſh to continue for a year, who ſhall perform the office upon pain of 20 *l.* but upon refuſal others ſhall be choſen, the ſaid penalties to be levied and imployed for mending the ſtreets and ways of the ſame Pariſh, by diſtreſs and ſale of the offendor's goods, and impriſonment in default, by warrant as aforeſaid.

XL. Within 20 days after election of ſuch Officers, a tax or pound-rate ſhall be made by the Inhabitants of every Pariſh, which being confirmed by 2 Juſtices of the Peace, ſhall be quarterly paid, upon demand by the Officers appointed, and upon refuſal levied by diſtreſs and ſale of the goods, by warrant from 2 Juſtices of the peace, and for lack of diſtreſs by impriſonment of the Offendor (not being a Peer) until payment.

XLI. Provided, all Actions againſt Perſons for executing this Act. ſhall be laid in their proper County, and the defendant may plead the general iſſue, and recover treble coſts if wrongfully vexed.

XLII. Several houſes in and about *London*, obſtructing the common paſſages to be removed, and Commiſſioners by the King to be appointed under the Great Seal, to receive contributions for enlarging the ſtreets and ways, and to treat with the owners for ſatisfaction, for pulling down the ſame, which Commiſſioners are to take an oath impartially to execute this Act; The Lord Mayor of *London*, to be a joynt Commiſſioner with them, and the Dean of *weſtminſter*, Steward and Deputy Steward, to be alſo joynt Commiſſioners within the ſaid Liberties: This Act to continue till the end of the firſt Seſſions of the next Parliament.

XLIII. **Stat.** 14 *Car.* 2. *Cap.* 6. For enlarging and repairing common High-ways, Surveyors ſhall be choſen upon Munday or Tueſday in *Eaſter*-week yearly in every pariſh, upon pain of 5 *l.* for default thereof.

XLIV. The ſaid Surveyors ſhall within 20 days after Election view all the High-ways, and Bridges within their Pariſh, and conſider of needfull reparations, and thereupon with 2 or more ſubſtantial Houſe-holders make an aſſeſſment, for repair thereof, not exceeding 6 d. in the pound for one year, 20 *l.* ſtock to be rated as 20 l. *per annum*, which being allowed by ſome Juſtices of the Peace ſhall be paid within 20 days after demand by the Surveyors,

upon pain of forfeiture of double ſo much, unleſs upon complaint to the ſaid Juſtice; he ſhall think fit to alter the ſame.

XLV. The Surveyors ſhall cauſe all nuſances in High-ways, or Ditches, and water-courſes not ſcoured to be amended, and the offenders puniſhed by law, and deduct their charges for proſecution thereof, and may yearly between the 1 of *May* and the laſt of *Auguſt*, hire labourers, carts and carriages for that purpoſe.

XLVI. They may appoint perſons to work in the High-ways according to former laws, and Carts and Carriages for more days, then by former laws directed, paying according to the rates of the Country, and one Juſtice of Peace, may upon queſtion of value determine the ſame; and upon neglect or refuſal of any perſon charged, he ſhall forfeit 10 s. for a Team a day, and 18 d. for a labourer.

Provided none be charged for lands, and ſtock which he uſeth upon the ſame.

XLVII. The Surveyors within their Pariſhes, by order from the quarter Seſſions, and upon view, and by conſent of two Juſtices authoriſed by the ſaid Seſſions under their hands and ſeals in writing may enlarge any High-way, not of (to the) breadth of 8 yards, out of the ſale of the owner in ſuch manner as by the Act appointed.

XLVIII. In caſe of want of gravel, ſand, &c. in one Pariſh it may be digged in the waſte of another, filling up the pit again, if required.

XLIX. In caſe of want of gravel, ſand, or other materials in any Common, or Waſte, of any Pariſh, the ſame may be digged in the ſoile of any owner, the ſame not being a Houſe, Orchard, Garden, Court-yard, Park with deer, or Meddow, rendring damages to the owner for digging and filling again the pit.

L. No travelling Waggon, Wain, or Carriage for hire, (other then carriage for Husbandry and managing lands, carrying Hay, Straw, Corn unthreſhed, Coal, Chalk, Timber for Shipping, materials for building, ſtones, Ammunition and Artillerie for the King's ſervice) ſhall go in any High-way with above 7 Horſes whereof ſix by paires, and not above 8 Oxen, or ſix and two Horſes by paires: nor carry above 2000 weight between 1 *October*, and 1 *May*: nor above 3000 between 1 *May*, and 1 *October*: nor above 8 quarters of Barley, Mault, or Oates: nor with any wheeles leſs then 4 inches broad in the tyre, upon pain of 40 s. one third part whereof ſhall be to the Surveyors, one other third part to the poor of the Pariſh, and the other third part to the diſcoverer, to be levied by diſtreſs and ſale of the offenders goods, if payment be not made within 3 days; and the offences aforeſaid declared common nuſances.

LI. Suits againſt any Officers for any thing done upon this Act

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ſhall be tried in their proper Counties: the defendant may plead the general iſſue and if wrongfully ſued recover double coſts.

LII. All moneys aſſeſſed, and charitable gifts for mending the High-ways, Pavements, &c. and all fines and forfeitures not otherwiſe diſpoſed by this Act: and all amerciaments upon Pariſhes for repairing High-ways ſhall be imployed by the reſpective Surveyors within their reſpective Pariſhes, by warrant under their hands and ſeals, and levied by diſtreſs and ſale of the offendors goods as aforeſaid.

LIII. All Surveyors ſhall within one moneth after their years expired give in an accompt under their hands in writing to the Pariſh of all their receits and diſburſements, and of all arreares, fines, forfeitures, penalties, and charitable gifts, and pay what remains in their hands, to the ſucceeding Surveyors: and upon default and complaint to any two Juſtices of the Peace near the ſaid Pariſh, the ſaid Juſtices ſhall commit the party offending to priſon till a true acompt be made.

LIV. Juſtices of *Oyer* and *Terminer*, and of the Peace, may enquire of, hear and determine matters of Charitable gifts for mending High-ways, and alſo all offences in Surveyors and other concerning High-ways, and make orders therein: Provided perſons grieved by ſuch orders may appeal to the Chancery, as upon decree upon the Statute of charitable uſes.

LV. No *certiorari* ſhall be allowed to remove any information, indictment or other proceeding in the quarter Seſſions touching any matter in this Act unleſs the Parties proſecuted, give ſecurity to the proſecutors to pay them their coſts and damages.

LVI. *Proviſo*, touching the leſſees of the Iron works in *Surrey*, *Suſſex*, and *Kent*.

LVII. *Proviſo*, not to lay any new charge, where the Juſtices, at the quarter Seſſions, or two Juſtices near the Pariſh ſhall be ſatisfied that the High-ways may be ſufficiently repaired without help of this Act.

LVIII. Tenants and Occupiers are to pay Aſſeſments for High-ways.

LIX. The power of Aſſeſſing to continue onely for 3 years.

LX. All other powers continued till the end of the firſt Seſſion of the next Parliament, and no longer.

LXI. **Stat. 15 *Car.* 2. *cap.* 1. *Stat.* 3.** An Act appointing ſpeciall Commiſſioners with power, to overſee and repair the High-ways, within the Counties of *Hertford*, *Cambridge*, and *Huntington*, leading from *London* to *York*, and into *Lincolnſhire*, and for gathering a certain Toll for the ſame, *viz.* for *Hertfordſhire* at *Waues Mill*,

for

for *Cambridge* at *Caxton*, and for *Huntingtonſhire* at *Stilton*, and not elſewhere: *Vid. the Act.*

LXI. **Stat.** 16 & 17 *Car.* 2. An Act for continuance of a former Act for repairing the High-ways within the County of *Hertford*, for 21 years from the time mentioned in the ſaid Act.

☞ Holy-days and Faſting-days.

I. **Stat.** 2. 3 *E.* 6. 19. An Act prohibiting fleſh to be eaten on fiſh-days: *But ſee a greater penalty inflicted*, 5 E. 5. *Infra* in Ships.

II. **Stat.** 5. 6 *E.* 3. 3. Holy-days and Faſting-days are appointed: *But* 1 *M. Parl.* 1. *Cap.* 2. *this Act is repealed: And afterwards by* 1 Jac. 25. 1 *M. is repealed and therefore* Quære, *whether it be now in force unleſs it had been revived by ſpecial words.*

III. **Stat.** 1 *Car.* 1. All concourſe of people out of their own Pariſhes for any paſtime whatſoever: as alſo Bear-baitings, Bull-baitings, Enterludes, Common-plays, and all other unlawful paſtimes, are prohibited on the Lord's-day.

IV. The Offender againſt this law being thereof convicted by the view of one Juſtice of Peace (in the Countrey (or by a chief Officer in a Corporation) or by his own confeſſion, or by the oath of one witneſs before one ſuch Juſtice or Officer, ſhall forfeit 3 s. 4 d. to the uſe of the poor where the offence is committed, to be levied by diſtreſs and ſale of goods (upon warrant from the ſame Juſtice or Officer) by the Conſtables or Churchwardens of the ſame Pariſh, and in caſe no diſtreſs can be had, the Offendor ſhall ſit in the ſtocks 3 hours: but this offence ought to be proſecuted within one moneth after it ſhall be committed: And if the Officer be queſtioned, he ſhall plead the general iſſue, and yet give the ſpecial matter in evidence.

* V. **Stat.** 3 *Car.* 1. No Carrier with his Horſe, Waggoner with his Wagon, Car-man with his Cart, Wain-man with his Wain, or Drover with his Cattel ſhall travel upon the Lord's-day, in pain to forfeit 20 s. for every ſuch offence.

VI. No Butcher ſhall kill or ſell any victual upon the ſame day, in pain of 6 s. 8 d.

* VII. Here, the conviction of the Offender and the levying and imployment of the forfeitures are the ſame with thoſe of the former Statute: ſave onely that here two witneſſes are neceſſary, and the forfeitures may alſo be recovered by a proſecutor in the Seſſions of the County or Corporation, where the offence was committed: and in that caſe the Juſtice or Head-Officer may

allow

allow the profecutor part of the forfeitures, but not above a third part.

VIII. This Action ſhall be profecuted within ſix moneths: and here alſo the Officer may plead the general iſſue.

Homage and Fealty.

I. **Stat. 17 E. 2.** When a Free-man doth homage to his Lord, of whom he holdeth in chief, he ſhall hold his hands between the hands of his Lord, and ſay thus:

I become your man from this time forth for life, for member, and for worldy honour, and ſhall on you my faith for the lands that I hold of you, ſaving the faith that I on unto our Lord the King, and to mine other Lords.

II. When a Free-man doth fealty to his Lord, he ſhall hold his right hand upon a Book, and ſhall ſay thus:

Hear you my Lord R. *that I* P. *will be to you both faithful and true, and ſhall on my fidelity unto you for the Land that I hold of you, and lawfully ſhall do ſuch cuſtoms and ſervices as my duty is to you at all terms aſſigned: ſo help me God, and all his Saints.*

III. When a Villain ſhall do fealty unto his Lord, he ſhall hold his right hand over the Book, and ſay thus,

Hear you my Lord A. *that I* B. *from this day forth unto you ſhall be true and faithful, and ſhall on you fealty for the Land, I hold of you in Villenage, and ſhall be juſtified by you in body and goods: ſo help me God and all his Saints.*

Honours.

I. **Stat. 31 H. 8. 5.** An Act for the making of the Mannor of *Hampton-Court* (with divers Mannors and Lands thereunto annexed) an Honour, and the King ſhall have a free Chaſe and Warren there: alſo the offenders there ſhall be puniſhable as in any other Foreſt or Chaſe; all which are to be in the ſurvey of the Court of Augmentations; and *Shipton* is annexed unto the Duchy of

Corn-

Cornwal in lieu of *Biſleet* and *Weibridge* taken away by this Act from the ſaid Dutchy.

II. Stat. 33 H. 8. 37. An Act for the making of the Mannor of *Ampthil* in *Com. Bed.* an Honour, and for annexing divers lands in *Com. Bed.* and *Buck.* to the ſaid Honour with other Articles concerning that Mannor, which ſaid lands are appointed to the ſurvey of the Court of Augmentations.

III. Stat. 33 H. 8. 38. The like for the Mannor of *Grafton* in Com. North. *See the Statutes at large.*

Hops.

* I. Stat. 1 *Jac.* 18. None ſhall bring or cauſe to be brought into this Realm from forein parts any hops deceitfully mixt with any ſoil whatſoever, in pain to forfeit the hops ſo brought in; neither ſhall any buy ſuch hops (ſo brought in, or growing within the Realm) and imploy them in brewing, in pain to forfeit the value thereof: which ſaid forfeitures ſhall be divided betwixt the King and the proſecutor.

Horners.

* I. Stat. 4 *E.* 4. 8. No ſtranger ſhall buy any Engliſh horns unwrought gathered or growing in *London*, or within 24 miles thereof: The Wardens of Horners in *London* may ſearch all ware belonging to their Myſtery, in *London*, and within 24 miles thereof. And in *Sturbridge* and *Ely* Fairs: *See the Statute at large: But note that this Statute is repealed by* 1 Jac. 25. *Howbeit it is recited in part revived by* 7 Jac. 14. *as followeth.*

II. Stat. 7 *Jac.* 14. The Act of 4 *E.* 4. 8. and every part thereof (except power of ſearch in the Fairs of *Sturbridge* and *Ely*, and the limitation of ſuch prices for horns, as they were to be had for at the making of the ſaid Act) ſhall be revived, and be be of like force as if it had not been repealed by 1 *Jac.* 25.

III. None ſhall ſell Engliſh horns unwrought to any ſtranger, nor ſend any ſuch horns beyond Sea, in pain to forfeit the double value thereof, to be divided betwixt the King and the proſecutor.

☞ Horſes, Mares, and Cattel.

* I. Stat. 20 *R.* 2. 5. None ſhall take the horſe or beaſt of any to ſerve the King without the owner's conſent or ſufficient warrant,

warrant, in pain to be impriſoned, until he recompence the party grieved.

*II. Stat. 11 H. 7. 13. None ſhall convey any horſe out of the Realm without the King's licence, in pain to forfeit the ſame, nor any Mare above the value of 6 s. 8 d. in pain to forfeit her, the owner thereof receiving 6 s. 8 d. for her at the time of the ſeiſure, otherwiſe that alſo is to be forfeited: and here, the Mare immediately after ſeiſure is to be appraiſed and ſold by the chief Officer there, and her price (above the 6 s. 8 d.) is to be divided betwixt the King and the ſeizer; and the King's part thereof to be delivered to the Cuſtomer of the Port there.

III. None ſhall convey any Mare out of this land under 3 years old, or worth above 6 s. 8 d. and for thoſe he may convey, he ſhall pay the uſual Cuſtom.

IV. For every Mare (above that value) to be tranſported beyond Sea by the King's licence, the Cuſtom ſhall be 6 s. 8 d. which ſhall be paid before ſhe be ſhipped, in pain to forfeit her.

V. If any at the Port will for any ſuch Mare of under-value give 7 s. and pay for her, he ſhall have her, if ſhe were not before taken by the King's Officer, or the King's licence for tranſporting her were not before obtained.

VI. This Act ſhall not prohibit any to tranſport beyond Sea (without the King's licence) any horſe for his own uſe, he making oath before the Cuſtomer or ſearcher of the Port, that he intends not to ſell him.

VII. Stat. 27 H. 8. 6. Every one having inheritance or freehold in a Park kept for Deer, and a mile about, or his Farmer ſhall keep two Mares apt and able to bear foals, each of them being 13 hands high, from the loweſt part of the hoof to the higheſt part of the ſhoulder, and each hand containing 4 inches in pain of 40 s. for every moneth they want them; and if the Park be 4 miles about, they ſhall keep four ſuch Mares upon the like pain.

VIII. If any of the Mares die, they have three moneths given them to provide another, without danger of incurring the ſaid penalty.

IX. They ſhall not ſuffer their Mares to be leapt by any ſtoned-horſe under 14 hand high, in pain of 40 s.

X. The ſaid forfeitures are to be divided betwixt the King and the proſecutor.

XI. This Act ſhall not extend to *Weſtmerland*, *Cumberland*, and *Northumberland*, nor the Biſhoprick of *Durham*, nor to Parks, wherein

wherein the Inhabitans of the Town next adjoyning have Common.

XII. Spiritual perſons may ſell the increaſe and breed of their Mares, notwithſtanding this Act.

* XIII. Stat. 32 *H.* 8. 13. None ſhall put to feed upon Forests or Common ground any ſtoned horſe being above two years old, and not 15 hand high from the lower part of the hoof to the upper part of the wither (every hand containing 4 inches ſtandard meaſure) in pain to forfeit the ſame horſe.

XIV. It ſhall be lawful for any man to ſeize to his own uſe any ſtoned horſe of leſſer ſtature put to feed upon any ſuch Common ground, as aforeſaid, ſo that firſt by the aſſiſtance of the Keeper of the ground, or Conſtable, Bailiff, Headborough, or other ſuch officer of the Pariſh adjoyning) ſuch horſe be brought to the next Pound, and there by the Officer, and in the preſence of three other ſufficient men) be meaſured and found lower then the Statute.

XV. Thoſe that refuſe to meaſure, or to be preſent at meaſuring of ſuch horſe, ſhall forfeit 40 s. a piece for every ſuch default, to be divided betwixt the King and the proſecutor.

XVI. An horſe that makes an eſcape into ſuch Common, ſhall not be queſtioned, ſo that he ſtay not above 4 days after notice thereof given at the owner's houſe, or in his Pariſh Church.

XVII. Foreſts and Common-grounds ſhall be driven yearly at *Michaelmas* or within 15 days after, by the Keepers or Officers aforeſaid, in pain of 40 s. who have alſo power to drive them at any other time of the year at their pleaſure, ſuch power likewiſe have the owners of ſuch grounds; and here, upon the drift, if any unlikely Tits ſhall be found, they ſhall be killed.

XVIII. Juſtices of Peace in Seſſions have power to hear and determine theſe offences, but Stewards of Leets onely to take preſentments of them, which they ſhall certifie in at the next geneal Seſſions, or to the *Cuſtos Rotulorum*, in pain of 40 s.

XIX. None ſhall put upon Common grounds or Common fields any ſcabbed or infected horſe, in pain to forfeit 10 s. to the Lord of the Leet.

XX. This Statute ſhall not reſtrain keeping of horſes under the ſtature upon Commons, where Mares are not uſually kept.

XXI. Stat. 1 *E.* 6. 5. None ſhall convey, ſell or deliver any horſe into *Scotland*, or any other forrein Country (without the King's licence, or for his ſervice in the wars) in pain to forfeit ſuch horſe, and 40l. to be divided betwixt the King and the proſecutor.

XXII.

XXII. Wardens of the Marches and Juſtices of Peace in Seſſions have power to hear and determine theſe offences, and it ſhall be lawful for any of the King's ſubjects to arreſt or impriſon any *Scotchman* or other, that ſhall convey any horſe contrary to this Act.

XXIII. He that hath the King's licence to convey Horſes into *Scotland* ſhall (before he ſo convey them) ſhew his licence to one of the Wardens of the Marches (to the end that the number of them may be Kalendred) in pain to forfeit his horſes or the double value of them to be divided betwixt the King and the proſecutor.

XXIV. This Act ſhall not reſtrain the Warden of the Cinque-Ports to give ſix horſes or geldings, and no more, to any perſon beyond Sea, being within the King's Amity: neither ſhall it impeach the Maſter of the King's horſes in any Commodity, that concerns his office; nor any other for conveying beyond ſea Mares not exceeding the value of 10 s.

XXV. **Stat. 8 El. 8.** The Statute of 32 *H.* 8. 13. ſhall not reſtrain the keeping of ſtoned horſes of a lower ſtature in the Fen grounds of the Iſle of *Ely*, and of the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk* or *Suffolk*, ſo that the horſes there kept, be not under 13 hands high.

XXVI. **Stat. 21 *Jac.* 28.** The Statute of 32 *H.* 13. ſhall not extend to the County of *Cornwal*.

Hoſpitals and Hoſpitallers.

I. **Stat. 2 *H.* 5. *Stat.* 1. *cap.* 1.** The Ordinary ſhall have power to inquire of and reform the foundation, eſtate and government of Hoſpitals, *viz.* Thoſe of the King's patronage or foundation, by Commiſſion, and ſhall return the inquiſitions thereof into the Chancery: But thoſe of others, he ſhall do it *ex officio*.

II. **Stat. 2 *H.* 6. 2.** That the Hoſpital of *S. Leonards* in *York* may gather their Thraves of Corn, as formerly, and upon denial have an Action of debt for the ſame: *See the Statute.*

III. **Stat. 13 *El.* 17.** That the Earl of *Leiceſter* may found an Hoſpital in *Warwick* or *Kenelworth* for relief of poor and impotent people; which Hoſpital ſhall have capacity to purchaſe Lands in any County of *England*, not exceeding 200 l. *per annum*, and not holden of the Queen by Knight-ſervice *in capite*, or by Knight-ſervice nor in chief.

IV. **Stat. 14 *El. not printed*,** for the aſſurance of all grants made and to be made for the poor in Hoſpitals, &c.

V.

V. Stat. 18 *El.* Two Acts were made, *but not printed*, the one for the Hoſpital of S. *Croſs* near *Wincheſter*, and the other for one at *Leiceſter*.

VI. Stat. 27 *El.* Alſo two Acts (*not printed*) the one for the Hoſpital of *Chriſt* at *Sherborn* in Biſhoprick, and the other for that of *Eaſtbridge* in *Canterbury*.

VII. Stat. 39 *El.* 5. It ſhall be lawful for any perſon within 20 years next inſuing (by deed inrolled in Chancery) to erect and found an Hoſpital or houſe of correction, to have the ſame continue for ever, and for him, his heirs and aſſignes, to place ſuch head and members, and ſuch number of poor, as they pleaſe, which ſaid Hoſpital or houſe ſo founded ſhall be incorporated, and have perpetual ſucceſſion for ever, which Corporation ſhall have power to purchaſe goods and Chattels, alſo lands not exceeding the value of 200 l. *per annum*, nor held by Knight ſervice, or in chief of the Queen; and all this without licence, or the writ of *ad quod dimnum*, the Statute of Mortmain, or of any other to the contrary.

VIII. They ſhall alſo have power to ſue and be ſued in all Courts, and to have ſuch a common ſeal or ſeals as the Founder, his heirs or aſſigns ſhall appoint, by which they may ſeal all Inſtruments which concern the ſaid Corporation.

IX. They ſhall alſo be viſited and ordered by ſuch perſon or perſons as the ſaid Founders, their heirs or aſſigns ſhall nominate, according to the Statutes of the Foundation, being not repugnant to the Laws and Statutes of this Realm: Howbeit the Founder, his heirs and aſſigns upon the death or removall of any head or member, ſhall have power to place another in their ſtead.

X. Provided, that all leaſes and eſtates made by any ſuch Corporation for above 21 years, and that in poſſeſſion, and whereupon the accuſtomed yearly rent for the greater part of 20 years before ſhall not be reſerved, and yearly payable ſhall be void.

XI. The right of all perſons, ſave of the Founders their heirs and ſucceſſors, is ſaved.

XII. This act ſhall not inable Infants, Femes *covert* without their husbands, or perſons not of *ſane* memory, to make ſuch Corporations, or to endow the ſame.

XIII. No ſuch Corporation ſhall be made, unleſs the ſame be (upon the foundation thereof) endowed with lands of the clear yearly value of 10 l. *per annum*.

XIV. Provided, that the Corporations aforeſaid ſhall not by force of this Act do or ſuffer to be done any thing in prejudice thereof: but ſuch conſtruction ſhall be made thereof as ſhall be

moſt

moſt beneficial for the maintenance of the poor, and for avoiding of all devices which may be invented or put in ure contrary to the true meaning thereof.

XV. Stat. 39 El. 6. Commiſſions may be awarded to certain perſons to inquire of lands or goods given to Hoſpitals, or other charitable uſes, miſ-imployed, and to reform them: *But this Act was afterwards repealed by 43 El. 2. 4. ſaving for the execution of orders and decrees before made by Commiſſioners according to the Statute.*

XVI. Stat. 43 El. 4. It ſhall be lawful for the Lord Chancellor or Keeper for the time being, and for the Chancellor of the Dutchy of *Lancaſter* (within that precinct) to award Commiſſions into any part of the Realm reſpectively to the Biſhop there and his Chancellor (if any at that time) and to other perſons of good behaviour, authoriſing four or more of them to inquire as well by the oaths of twelve, or more lawful men, as otherwiſe, of all grants, gifts, augmentations, limitations and appointments, and of all abuſes and miſ-imployments of all lands, tenements, and hereditaments; and of all goods and chattels given, limited or appointed to charitable uſes.

XVII. The Commiſſioners having called the parties intereſſed, made inquiry by the oaths of ſuch 12 men or more (unto whom lawfull challenge may be made by the parties ſo intereſſed) and ſet down ſuch orders and decrees therein, that the things ſo given to charitable uſes may be faithfully imployed, the orders and decrees ſo made (being not repugnant to the Statutes of the Founders or Donors) ſhall ſtand firm, and be executed accordingly, untill they ſhall be altered by the Chancellor, Keeper, or Chancellor of the ſaid Dutchy reſpectively, upon complaint made to them thereof by the party grieved.

XVIII. This Act ſhall not extend to any thing given to any Hall or Colledge in the Univerſities, or to the Colledges of *Weſtminſter*, *Eaton* or *Wincheſter*, or to any Cathedrall Church, or to any City or Town Corporate, or to any lands or tenements given to the uſes aforeſaid, in any ſuch City or Town, where there is a ſpecial Governour or Governours to govern things diſpoſed to ſuch uſes, or to any Colledg, Hoſpital or Free-School, having ſpeciall Viſitors or Governours appointed by the Founders.

XIX. This Act ſhall not be prejudicial to the Ordinary or his juriſdiction.

XX. None having the thing in queſtion, or pretending title thereunto ſhall be either Commiſſioner or Juror.

XXI. This Act ſhall not impeach any purchaſer (*bona fide*) of

things given to charitable uſes, not having notice thereof: Howbeit (in that caſe) the party or parties (who have broken their truſt in ſelling the ſame) their Heirs, Executors and Adminiſtrators ſhall make ſatisfaction by the Decree of the ſaid Commiſſioners, if they have left aſſets, or ſo far as the aſſets ſo left ſhall extend.

XXII. The Commiſſioners ſhall not meddle with any lands conveyed or come to the hands of *H.* 8. *E.* 6. *Q. M.* or *Qu. El.* unleſs the grant to charitable uſes were made ſince the beginning of Queen *Elizabeth's* reign.

XXIII. The Orders, Judgments and Decrees ſhall be certified into the Chancery or Dutchy Court (as the caſe ſhall require) under the Commiſſioners Seals within ſuch time as ſhall be limited in their Commiſſions: And the ſaid Lord Chancellor, Keeper, or Chancellor of the Dutchy (reſpectively) ſhall take ſuch order for the due execution of the ſaid Decrees, as to them ſhall ſeem fit.

XXIV. If the party againſt whom the Decree is paſt, conceive himſelf injured thereby, upon complaint thereof to the ſaid Chancellor, Keeper, or Chancellor of the Dutchy (reſpectively) he ſhall have redreſs, if there be cauſe; but if not, they ſhall award good coſts againſt him for complaining without cauſe.

Hounſlo-Heath.

I. Stat. 37 *H.* 8. 1. *Hounſlo-Heath in Com. Midd.* which contains 1193 acres, and one rood of ground extendeth into ſeveral Pariſhes; ſo much thereof as is the King's inheritance, and is meet for tillage, paſture, meadow, or other ſeveral ground, ſhall be of the nature and condition of Copy-hold land, or the ſame may be let by the Steward of the Mannor at will, or for 21 years, which leſſee ſhall and may improve it.

Hull.

I. Stat. 33 *H.* 8. 33. The Statute of 27 *H.* 8. 3. (which was made for the taking away of certain cuſtoms that the Mayor and Commonalty of *Hull* took for fiſh) is repealed: but by this they may take of every perſon priviledged for a laſt of herring, 20 d. for an hundred of ſalt fiſh 4 d. and for a laſt of Sprats 8 d. And of one not priviledged, for a laſt of herring 2 s. 4 d. for an hundred of ſalt fiſh 4 d. and for a laſt of Sprats 8 d. as they did before.

Hundreds.

I. Artic. super Chart. 14. 28 E. 1. Bailiwicks and Hundreds ſhall not be let to farm at over great ſumms, whereby the people may be over-charged by making Contributions to ſuch Farms.

☞ Hunters and Hunting.

* ☞ I. Stat. 13 R. 2. 13. No lay-man who hath not lands of 40 l. *per annum*, nor Clerk who hath not 10 l. revenue *per annum* ſhall have or keep any Grey-hound, Hound, Dog, Ferret, Net, or Engine to deſtroy Deer, Hares, Conies, or any other Gentleman's game, in pain of one whole years impriſonment which Juſtices of Peace ſhall have power to inflict.

II. Stat. 19 H. 7. 11. None ſhall keep any Deer-hays or Buck-ſtalls, ſave in his own Foreſt or Park, in pain to forfeit for every moneth they are ſo kept 40 s. neither ſhall any ſtalk with any buſh or beaſt to any deer, except in his own Foreſt or Park, in pain of 10 l.

III. None ſhall take an old Heron, without his own ground, in pain of 6 s. 8 d. nor a young Heron, in pain of 18 s. for which forfeitures every man that will may ſue by Action of debt, or otherwiſe.

☞ IV. Any two Juſtices of Peace in Seſſions may examine the Offenders aforeſaid, and commit them to priſon, till they have ſatisfied the ſaid forfeitures, whereof the ſaid Juſtices are to have the tenth part.

☞ * V. Stat. 14 15 H. 10. None ſhall trace, deſtroy or kill any Hare in the ſnow; And Juſtices of Peace in Seſſions and Stewards in Leets have power to inquire of ſuch Offenders, and ſhall aſſeſs upon every ſuch Offender 6 s. 8 d. which penalty aſſeſſed in Seſſions ſhall go to the King; but in a Leet, to the Lord thereof.

* VI. Stat. 3 Jac. 13. None ſhall (without the owners licence) kill or chaſe any Deer or Conies in any Parks or incloſed grounds, in pain to ſuffer three moneths impriſonment, to pay treble damages to the party grieved, to be aſſeſſed by the Juſtices, before whom he ſhall be convict, after the ſaid 3 moneths expired, and to be bound with two good ſureties to the good behaviour for 7 years after, or to remain ſtill in priſon, till he find ſuch ſureties: but here the party grieved (being ſatisfied) hath liberty to releaſe the behaviour.

☞ VII. Juſtices of *Oyer* and *Terminer*, Aſſize, and Peace in

Seſſions have power to hear and determine theſe offences, and Juſtices of Peace in Seſſions (upon confeſſion and ſatisfaction to the party grieved) have power to releaſe the behaviour.

VIII. If any perſon, not having 40 l. *per annum* in lands, or 200 l. in goods, or ſome incloſed ground uſed for Deer or Conies worth 40 s. *per annum* at leaſt, ſhall uſe any gun, bow or croſs-bow to kill any Deer or Conies, or ſhall keep any Buck-ſtall, Ferret, Dog, net, or other engine, it ſhall be lawful for any perſon (having lands worth 100 l. *per annum*) to take ſuch gun, &c. from any ſuch perſon, and to covert the ſame to his own uſe.

IX. This Act ſhall not extend to any Park or incloſed ground hereafter to be made or uſed for Deer or Conies, without the King's licenſe.

X. **Stat.** 7 *Jac.* 13. It ſhall be in the election of the party grieved, whether he will take for ſatisfaction 10 l. in money, or treble damages, as by the Statute of 3 *Jac.* 13, is limited.

* XI. **Stat.** 13. *Car.* 2. *cap.* 10. None ſhall unlawfully courſe, kill, hunt or carry away any Deer, in any Foreſt, Chace, Purlieu, Wood, Park, or other ground, where Deer have been uſually kept within *England* and *Wales*; without the conſent of the owners or party chiefly truſted with the cuſtody thereof or be ayding or aſſiſting therein, upon pain, being convicted by confeſſion, or one witneſs, before any Juſtice of the Peace within ſix moneths after the offence, of 20 l. to be levied by diſtreſs, by warrant of the ſaid Juſtices; one moiety to the informer, the other to the owner of the Deer: and for want of diſtreſs, to be committed for ſix moneths to the houſe of Correction, or common Gaol for one year, and not diſcharged till ſufficient ſureties be given for their good behaviour.

XII. Provided that upon puniſhment by this Statute, the penalty of no other law be incurred.

☞ Husbandry.

I. **Stat.** 4 *Jac.* 11. The Owners and Farmers of lands in *Marden*, *Bodenham*, *Vellington*, *Sutton S. Michael*, *Sutton S. Nicholai*, *Marton* upon *Lugge*, and *Pipe* in the County of *Hereford*, may incloſe ſome part thereof; with divers other proviſions for the better improvement of theſe places. *For which, ſee the Statute at large.*

II. **Stat.** 7 *Jac.* 18. All perſons within *Devon* and *Cornwal* may fetch ſea-ſand for the bettering of their land.

III. Boat-men may fetch ſea-ſand and caſt it out of their boats, where it hath been uſed to be landed, and carry the ſame thorow uſual wayes: *See the Statute.*

IV. **Stat.** 15 *Car.* 2. *ca.* 5. *Vid.* Trade.

Identitate

Identitate nominis.

I. Stat. 37 E. 3. 2. IF the lands, Goods, or Chattels of any perſon (outlawed for want of a good declaration of his Sirname) ſhall happen to be ſeized by any of the King's Officers, he may have a Writ of *Identitate nominis*, to diſcharge them, as hath been uſed in times paſt: And in ſuch caſe, the Officer ſhall take ſecurity without fee of the party, to anſwer to the King the value of the thing ſo ſeized, if he cannot diſcharge them: and if the Officer be attainted of doing otherwiſe, he ſhall pay double damages to the party grieved, and be alſo grievouſly puniſhed to the King.

II. Stat. 9 H. 6. 4. A Writ of *Identitate nominis* ſhall be maintainable by Executors, as well as by the teſtator himſelf if he were living.

Jeofaile.

I. Stat. 32 H. 8. *cap.* 30. After an iſſue tried there ſhall be judgment given notwithſtanding any Jeofaile or miſpleading.

II. Stat. 18 El. 14. After Verdict given in any Court of Record there ſhall be no ſtay of judgment or reverſing thereof for want of form in any Writ original or judicial, Count, Declaration, Plaints, Bill, Suit, or Demand, or for want of any Writ original or judicial, or by reaſon of any imperfect or inſufficient return of the Sheriff, or other Officer, or for want of any warrant of Attorney, or for any default in progreſs upon or after *Ayd prayer* or *Voucher*.

III. This Act ſhall not extend to any writ, declaration or ſuit of appeal of felony, or murther, or to any Indictment, or preſentment of felony, murther, treaſon, or other matter, or to any proceſs upon any of them, or to any writ, bill, action, or information upon any penal Statute.

IV. Provided, that all Attorneys in any ſuit, in a Court of Record ſhall deliver in the Warrant of Attorney in ſuch ſuit, to be entred or filed of Record, as by the Law and Statutes of this Realm they ought to do, in pain to forfeit 10 l. to be divided betwixt the Queen and the Officers where the warrant ſhould have been ſo filed, and to ſuffer impriſonment by the diſcretion of the Juſtices of the Court where the default is made.

V. Stat. 21 Jac. 13. After Verdict given in any Court of Record, the Judgment thereupon ſhall not be ſtayed or reverſed for

any variance in form onely between the original writ or bill and the declaration, plaint or demand, or for lack of an averment of the parties life, or lives, so as it be proved he or they be in life, or for that the *Venire facias*, *Habeas corpus*, or *distringas* was awarded to a wrong Officer, upon any insufficient suggestion, or that the *visne* was in some part misawarded, or sued out of more or fewer places than it ought to be, so as some one place be right named, or for mis-naming any of the Jurors, either in the sir-name or Addition in any of the Writs or returns thereof, so as *constat de persona*, or for want of a return of any of the said Writs, so as a pannel be returned and annexed thereunto, or for that the Officer's name is not set to the return, so as it appear by proof that the writ was returned by him, or by reason that the Plaintiff in any *Ejectione firmæ*, or in any personal action, being under age, did appear by Attorney, and the verdict pass for him.

VI. This Act shall not extend to any Writ, Declaration, or Suit of appeal of felony, murther, nor to any indictment or presentment of felony, murther or treason, nor to any process upon any of them, nor to any Writ, Bill, Action, or Information upon any penal Statute.

Isle of Wight.

I. **Stat.** 4 *H.* 7. 16. None shall take more Farms then one in the Isle of Wight, which one shall not exceed ten marks in yearly value in pain of 10 l.

II. If any have several Farms above that value, he shall keep one or more of them at his Election, so as what he keeps, exceed not that value.

III. Such as have been at charge with their Farms in fines or repairs shall be indemnified.

Incontinency of Priests.

I. **Stat.** 1 *H.* 7. 4. The Ordinary shall punish Priests, Clerks, and Religious men for incontinency by imprisonment according to the quantity and quality of their trespass.

Incumbent.

I. **Stat.** 13 *R.* 2. 1. The Statute *de Clero*, 25 *E.* 3. 3. touching the examination of the King's title to a Benefice, when he presenteth in another's right, is confirmed; *which see in Advowson.*

II.

II. When the King presenteth to a Benefice full of an Incumbent, his presentee shall not be received by the Ordinary, until the King hath recovered his presentment by Law.

III. If the King's presentee be received, and the Incumbent put out without process, the Incumbent shall begin his suit within a year after the Induction of the said presentee.

IV. Stat. 4 H. 4. 22. Where an Incumbent is put out without due process, he shall be at large to sue for his remedy by the Statute of 13 R. 2. 1. at what time he pleaseth within or after the year.

Indicavit.

I. Stat. 34 E. 1. No writ of *Indicavit* shall be granted before the suit hanging in the Spiritual Court between the parties be recorded, and that the Lord Chancellor be certified thereof by the sight of the Libel.

☞ Indictments.

I. West. 2 *Cap.* 13. 13 E. 1. Sheriffs, Bailiffs of Franchises, and others that take Inquests of Malefactors, shall do it by at least 12 lawful men, who shall put their seals to such inquisitions, and the said Officers shall imprison such malefactors.

II. If they imprison any without such Inquests, the party grieved shall maintain an action of false imprisonment against them.

III. Stat. 1 E. 3. *Stat.* 2. *cap.* 17. Sheriffs, Bailiffs of Franchises, and other, who take Indictments, shall do it by Roll Indented, whereof one part shall remain with the Indictors, and the other with him that takes them; so as one of the Inquest may have one part thereof to shew to the Justices when they come to make deliverance.

IV. Stat. 25 E. 3. *Stat.* 5. 14. After one is indicted for Felony before the Justices of *Oyer* and *Terminer*, the Sheriff shall be commanded to attach his body by a *Capias*, and if the Sheriff return a *Non est inventus*, another *Capias* shall issue out (returnable in three weeks) whereby the Sheriff shall have power to seize his chattels, and to keep them until the said return, and then also, if the Sheriff return a *Non est inventus*, an exigent shall be awarded, and the chattels shall be forfeit: but if he yield himself, or be taken by the Sheriff or other Officer before the return of the second *Capias*, his goods and chattels shall be saved.

V. Stat. 11, H. 4. 9. No Indictments shall be made but by Inquest of lawful men returned by Sheriffs, Bailiffs of Franchises or other Officers who ought to do it, without having them nominated by other persons to the said Officers: and all Indictments otherwise found shall be void.

VI. Stat. 3 H. 7. 1. *pars inde.* Justices of Peace may take (by discretion) an Inquest, whereof every man shall have lands of the yearly value of 40 s. to inquire the concealments of a former enquest, taken before them, or others, of matters inquirable or presentable before them and whereof complaint shall be made by Bill.

VII. Stat. 37 H. 8. 8. *pars inde.* These words, *vi & armis* viz. *cum baculis, cultellis, arcubus, & sagittis*, or the like, shall not of necessity be put into any inquisition or indictment, but they shall be adjudged good, notwithstanding those words are therein omitted.

☞ Infections.

*I. Stat. 12 R 2. 13. None shall cause to be cast any garbage, dung, increils, or any other annoyance, into the Ditches, Rivers, Waters, or other places within or near any City, Borough, or Towns or the suburbs thereof, in pain to be called by Writ before the Chancellor; and if found guilty, to be punished at his discretion.

☞ Informers.

1 Stat. 18 *El.* 5 An Informer shall exhibit his suit in proper person, and pursue it by himself, or by his Attorney in Court, and that by way of Information, or original Action, and shall have no Deputy: and all this in pain of 10 l. and the Pillory.

II. A note of the time of exhibiting the Information shall be truly taken, and from thenceforth it shall be accounted to be of record, before which time no process shall issue out upon it.

III. The Clark that makes out the Process shall indorse the Informer's name, and also the Statute, upon which the Information is grounded, in pain of 40 s.

IV. No Jury shall appear at *Westminster* for a tryal upon any penal law, when the offence was committed above 30 miles from *Westminster*, except the Attorney General, for some reasonable cause require the same.

V. No Informer shall compound with any Defendant before answer,

ſwer, nor then, but by conſent of Court, in pain of 10 l. and the Pillory.

VI. Where the Informer delays or diſcontinues his ſuit, or otherwiſe is non-ſuit or overthrown, the Court ſhall aſſign coſts to the Defendants to be immediately levied by execution iſſuing out of the ſame Court,

VII. Juſtices of *Oyer* and *Terminer*, Aſſize, and Peace in their Seſſions have power to hear and determine theſe offences.

VIII. This Act ſhall not reſtrain Actions brought for Maintenance, Champerty, buying of title, or Imbracery, nor any certain perſon, or body politique, to whom any forfeiture or penalty is ſpecially limited, nor certain Officers, who have lawfully uſed to exhibit informations.

IX. Stat. 29 *El.* 5. in fine. If any ſhall be ſued upon any penal Law in the King's Bench, Common Pleas, or Exchequer where ſuch perſon is bailable by law, or may appear by Attorney, the perſon ſo ſued ſhall at the day contained in the firſt proceſs appear by Attorney to defend the ſame, and ſhall not be urged to perſonal appearance or to put in bail to anſwer the ſame.

X. Stat. 31 *Eliz.* 10. The ſaid clauſe of 29 *El.* 5. ſhall only extend to natural born ſubjects or free Denizens, and none others.

Inrolments.

I. Stat. 6 *R.* 2. 4. Deeds that were inrolled, and late torn or imbezled by Rebels in that late Inſurrection, being exemplified ſhall be of the ſame force, as the deeds themſelves would have been, if they had been extant.

II. Stat. 27 *H.* 8. 16. Bargains and ſales, to an uſe of Inheritance of free-hold, muſt be by deed indented and inrolled within ſix moneths after the date thereof, in ſome Court of Record at *weſtminſter*, or in the County where the land lyeth, before the *Cuſtos Rotulorum*, two Juſtices of Peace, and the Clerk of the peace or two of them, whereof the Clerk to be one: And here the fee to be paid for ſuch inrolment, when the land is not worth 40 s. per annum is 2 s. and when it is more 10 s. to be equally divided betwixt the Juſtice or Juſtices then preſent, and the Clerk of the Peace who ought to inroll them in parchment, and to deliver them unto the *Cuſtos Rotulorum* within one year after.

III. This Act ſhall not extend to lands, tenements, or hereditaments in Corporations where an Officer or Officers there have lawfully uſed to inroll deeds or other writings.

IV.

IV. **Stat.** 34. 35 *H.* 8. 22. All Recoveries, deeds inrolled, and releaſes acknowledged or taken before any Officer, or Officers of any Corporation, having authority to receive the ſame, ſhall remain in force, notwithſtanding the Statute of 32 *H.* 8. 28. *which ſee in* Leaſes.

V. **Stat.** 5 *El.* 26. All inrolments of ſuch writings indented, as are mentioned in the Statute of 27 *H.* 8. 16. of lands, &c. in the Counties of *Lancaſter*, *Cheſter*, and the Biſhoprick of *Durham*, being inrolled within ſix moneths after the Date thereof (*viz.* thoſe in *Lancaſhire*, in the Chancery at *Lancaſter*, or before the Juſtices of Aſſize there; thoſe in *Cheſhire* in the Exchequer at *Cheſter*, or before the Juſtices of Aſſize there, and thoſe in the Biſhoprick, in the Chancery at *Durham*, or before the Juſtices of Aſſize there) ſhall be as good in law, as if they were inrolled in any of the Courts at *Weſtminſter*.

Intruſion.

I. **Prerog. Reg.** *Cap.* 13. 17 *E.* 2. When the King's Tenant in chief dies, and his heir enters into the land, before he hath done homage to, or received ſeiſin of the King, he ſhall thereby gain no free hold; and if he die ſeized during that time, his wife ſhall not be endowed thereof; as it fell out in the caſe of the wife of *Maſel* the Marſhal.

II. **Stat.** 21 *Jac.* 14. When the King, or any claiming under his title, ſhall be out of poſſeſſion, or not have received the profits of lands, &c. within the ſpace of 20 years before any information of Intruſion brought to recover the ſame; In this caſe the Defendant ſhall plead the general iſſue, if he think fit, and ſhall not be preſſed to plead eſpecially, and ſhall alſo retain the poſſeſſion thereof, until the title be found for the King.

III. Where an information of Intruſion may fitly be brought on the King's behalf, no *Scire facias* ſhall iſſue, whereunto the ſubject ſhall be forced to a ſpecial pleading, and be deprived of the grace intended by this Act.

Ipſwich.

I. **Stat.** 13 *El.* 21. The ſtreets of *Ipſwich* in the County of *Suffolk*, and of the Suburbs thereof ſhall be paved with good paving ſtone, and for ever repaired by the Owners, Landlords, or Terretenants along, from and againſt their houſes, lands and tenements, adjoyning to the ſtreet, *viz.* ſo much of the ſaid ſtreet in length, as his houſe, lands, &c. ſo adjoyning extend unto, and in breadth during all

the length to the Channel, or to such place as the Channel there shall be appointed by the Bailiffs to extend unto, in pain to forfeit for every yard square not sufficiently repaired 8 d.

II. The Bailiffs of *Ipswich*, and the Portmen there, the Church-wardens, and four of every Parish shall have authority to tax upon every house, ground, and tenement there (free and copy) reasonable summs of money to be yearly paid, as well towards the finding of a convenient stipendary Minister within every Parish, as for the reparation of the Churches.

Ireland.

I. In the Book of *Magna Charta* is an Ordinance for *Ireland* concerning divers matters intituled, *Ordinatio pro statu terræ Hiberniæ.*

II. **Stat. 17 E. 2. cap. 1.** The King's officers in *Ireland* shall purchase no land there without the King's licence.

III. *Cap.* 2. King's Officers in *Ireland* shall make no purveyance there, but by writ out of the Chancery there, or in *England*, and that in time of necessity onely, and by the advice of the Council there.

IV. *Cap.* 3. All kind of Merchandizes may be exported out of *Ireland*, except to the King's enemies and if any Officer restrain them, he shall satisfie double damages to the party grieved, and be also punished by the King.

V. *Cap.* 4. The fees for every Bill of grace in *Ireland* under the seal of the Justice there, shall be 4 d. for the Bill, and 2 d. for the writing thereof.

VI. *Cap.* 5. The Marshal's fee for a Prisoner, when he shall be delivered, is 4 d.

VII. *Cap.* 6. No pardon of the death of a man, or other felony, or for flying for the same shall be granted by the Justices there, but onely at the King's command, and under his seals.

VIII. *Cap.* 7. No Officers there shall receive any original writ, which is not sealed by the seal of *Ireland*, or by the Exchequer-seal there, of things concerning that Court.

IX. *Cap.* 8. The Justice of *Ireland*, shall not delay or adjourn Assize of *Novel disseisin* there, save onely in the County where he is, and while he shall remain there.

X. **Stat. 34 E. 3. 17.** All kind of Merchandize may be exported and imported out of, and into *Ireland*, as well by Aliens as Denizens.

XI. **Stat. 34 E. 3. 18.** All persons, who have lands and possessions in *Ireland*, may freely import and export their Commodities thither and from thence without Impeachment.

XII.

XII. Stat. 1 H. 6. 3. All *Iriſh-men* ſhall avoid the Kingdom, except Graduates, Beneficed men, Lawyers, having Inheritance in *England*, and *Engliſh* parents, religious perſons, profeſſed Merchants, Burgeſſes, and others inhabitants of good fame, and perſons married in *England*, and all they ſhall find ſurety for the good abearing.

XIII. No *Iriſh-man* ſhall inhabit here in the Univerſities, or elſewhere, without a teſtimonial under the ſeal of the Lieutenant, or Juſtices of *Ireland*, (teſtifying that he is of the King's obeyſance) to be delivered to the Chancellor here, in pain to be puniſhed as a Rebel.

XIV. No *Iriſh-man* ſhall be Head or Governour of any Hall or houſe.

XV. Stat. 2 H. 6. 8. *Iriſh-men* coming to live in *England* ſhall give ſurety for their good abearing, *viz.* In the Univerſities, to the Chancellors; in Counties, to the Juſtices of Peace; and in Corporations and other liberties, to the Head-officers reſpectively.

XVI. Stat. 16. 17 *Car.* 30. An Act for a ſpeedy contribution and loan towards the relief of the King's diſtreſſed ſubjects of the Kingdom of *Ireland*. *See the Statute at large.*

XVII. Stat. 16, 17 *Car.* 33. An Act for the ſpeedy and effectual reducing of the Rebels in *Ireland* to their due obedience to the King and the Crown of *England*: and *cap*: 34. 35. & 37. Certain other additional Acts were made for the ſame purpoſe, and for the ſale of forfeited lands there. *All which ſee at large.*

☞ Iron.

* I. Stat. 28 E. 5. Iron made in *England*, or brought into *England* and ſold, ſhall not be exported, in pain to forfeit the value thereof to the King.

II. Juſtices aſſigned have power to inquire of Labourers: And other Juſtices to be aſſigned by the King, ſhall alſo have power to inquire of ſuch as ſell Iron at too dear a price, and to puniſh them according to the quantity of the treſpaſs.

☞ Judgment.

I. Stat. 15 E. 3. *Stat.* 1. 5. A Prelate, two Earls and two Barons ſhall have power by the King's Commiſſion to hear (by Petition) complaints for delay of entring Judgments, and to call before them the Juſtices and Records, whereof ſuch complaint ſhall be made, and calling to them the Chancellor, Treaſurer, the Juſtices of the

one

one Bench, or the other, and others of the King's Council (as many as they ſhall think fit) ſhall give Judgment thereof, and then the Records ſhall be remanded together with the Judgment which ſhall be immediatly entred accordingly.

II. In caſe the matter be too difficult, it ſhall be referred to the next Parliament to be determined.

III. Judges and other Officers in Courts of Juſtice may be increaſed or diminiſhed, as need ſhall require, and when they ſhall enter into their offices, they ſhall make oath duly to ſerve the King and his people.

IV. Stat. 4 H. 4. 23. Judgments given ſhall continue, and the parties for whom they are ſo given, and their heirs ſhall be in peace until they ſhall be attaint or errour, if any be.

Judicial Proceedings.

I. Stat. 12 Car. 2. cap. 12. Which Judicial Proceedings during the late uſurpation ſhall be good and effectual in Law, and which not.

☞ Juriſdiction.

I. Artic. Cleri. cap. 6. 9 E. 2. Albeit a caſe be debated, and have judgment in the ſpiritual Court, yet the King's Court may afterwards diſcuſs the ſame matter, as the party ſhall think expedient for himſelf.

II. Stat. pro Clero, 25 E. 3. Stat. 3. cap. Cogniſance of avoidance of Benefices belongs to the Eccleſiaſtical Judge, and not to the Temporal.

Juris Utrum.

I. Weſt. 1. cap. 24. 13 E. 1. A Writ of *Juris utrum* ſhall be granted to trie whether free alms belong to one Church or another, in caſe where they are tranſferred from one Church to another.

☞ Jurors.

I. Marlb. cap. 14. 52 H. 3. Such as have Charters of exemption not to be impannelled upon Juries, ſhall (notwithſtanding their privilege) be ſworn upon great Aſſizes. Perambulations, in deeds and writings of covenants (where they be named for witneſſes) and in Attaints, and when their oaths are ſo requiſite, that without them Juſtice cannot be adminiſtred.

II.

II. Statut. 2. *cap.* 28. *El.* 1. No more Jurors shall be summoned in one Assize then 24. Also old men above the age of 70. or sick, or diseased at the time of the summons, or not dwelling in the Countrey shall not be put in Juries of petit Assizes, neither shall any be put in Assizes or Juries, that have not land worth 20 s. *per annum*. And if the Assizes or Juries be taken out of the County, their revenue shall be 40 s. *per annum*, at least, except such as be witnesses to deeds or other writings, and be able to travel.

III. This Statute shall not extend to great Assizes, where many times Knights are to be impannelled: for they (by reason of their scarcity) may serve, albeit they dwell out of the Countrey, so they have land in the County for which they serve.

IV. No Sheriff, Under-Sheriff, or Bailiffs shall offend against this Law, in pain to answer damages to the party, and to be amerced to the King.

V. Justices of Assize have power to hear and determine these offences.

VI. Stat. 21. E. 1 Stat. 1. None shall be empannelled to serve out of their proper County unless they have lands worth 5 l. per annum at least; nor in the County unless they have lands worth 40 s. *per annum*.

VII. This Statute shall not extend to Juries taken before Justices errant, nor to Corporations; but that they may do, as in times past.

VIII. Artic. super Cart. *cap.* 9. 28 *E.* 1. None shall be impannelled, but as is ordained by Statute, and they shall be next neighbours, most sufficient, and least suspicious; in pain that the officer who doth otherwise, shall answer double damages to the party grieved, and be grievously amerced to the King.

IX. Stat. 5 *E.* 3. 10. If a Juror take a bribe of either party, and be thereof attainted, he shall serve no more of any Jury, be imprisoned, and ransomed at the King's will; and the Justices, before whom he serves, shall have power to hear and determine this offence according to this Statute.

X. Stat. 25 *E.* 3, *Stat.* 5. *cap.* 3. No Indictor shall be put upon the Inquest for the deliverance of the Indictee of felony or trespass, if he be challenged by the Indictee for that cause.

XI. Stat. 34 E. 3. 4. Sheriffs and others shall array their pannels of the next people not suspected nor procured, in pain to be punished by the Justices, that take such Inquests both to the King and the party grieved, according to the quantity of the trespass and damage.

XII. Stat 34 E. 3 8. If any of the Jurors be accused by either of

of the party for taking a bribe to give his verdict, the Justices may presently trie it by a Jury then also to be taken.

XIII. If it be prosecuted by any other then one of the parties, he shall have the fine; but if by one of the parties, he shall recover damages by the assessment of the Inquest so taken. The suit may also be prosecuted before other Justices in form aforesaid.

XIV. **Stat. 2 H. 6. Stat. 1. cap. 3.** None shall be admitted to pass in an Inquest upon trial of the death of a man, or betwixt party and party in any plea real or personal, whereof the debt or damage declared amounts to 40 marks unless he have lands or tenements of the yearly value of 40 s. besides reprises, Challenge thereof being made by the party.

XV. **Stat. 8 E. 4. 3.** Every Juror impannelled and returned within *Middlesex* in any of the Courts at *Westminster*, at every fourth day of the return thereof shall be called, who then appearing his appearance shall be recorded, and he shall not be amerced nor lose issues that day in that suit.

XVI. No default, essoin, or other delay of either party (Plaintiff or Defendant (in any personal action (by the law heretofore used) shall by this ordinance be prejudiced, or taken away in any manner; but shall be adjudged, and allowed in as ample manner, as they were before the making of this Act.

* XVII. **Stat. 1 R. 3. 4.** No Bailiff or other Officer shall return or impannel any person upon any inquiry at the Sheriff's turn, but such as are of good name and fame, having lands and tenements in the same County, *viz.* Free-hold of 20 s. and Copi-hold of 26 s. 8 d. *per annum* in pain that the Bailiff or other Officer shall forfeit for every person so returned or impannelled, not of the sufficiency aforesaid 40 s. for every time, and the Sheriff 40 s. more, which said forfeitures may be recovered by Action of Debt, and shall be divided betwixt the King and the prosecutor.

XVIII. **Stat. 4 H. 8. 3.** For Issues lost by Jurors in *London*, given to the Mayor and Sheriffs there by the Statute of 11 *H.* 7. 21. which see Attaint) the said Mayor and Sheriffs and their successors may distrain respectively, viz. the Mayor for his, and the Sheriffs for theirs.

XIX. The Sheriffs of *London* have power to return pannels of Jurors in suits depending in any of the Courts at *Westminster* and triable in *London* being Citizens, and having goods of the value of 100 marks, who shall serve and be sworn in like manner as if they had lands and tenements of 20 s. *per annum*.

XX. The Sheriffs of London, shall return upon the first distress

upon

upon every Juror 20 d. and upon the ſecond diſtreſs 40 d. and upon every other diſtreſs after that, the double, untill a full Jury appear and be ſworn, in pain of 10 l. to be divided betwixt the King and the proſecutor.

XXI. Stat. 5. H. 8. 5. The Statute of 4 H. 3. (as to the iſſues to be ſet upon Jurors) ſhall be underſtood onely of writs of diſtreſs before Juſtices or Juſtice of *Niſi prius*, in ſuits depending in the Courts at Weſtminſter. and triable at St *Martins le grand* in the city of *London*, and not of other writs or proceſſes iſſuing out of the ſaid Courts.

XXII. Stat. 23 H. 8. 13. Trials of felons in Corporate towns may be by freemen of the ſame Corporation worth 40l. in goods albeit they have no free-hold.

XXIII. This Act ſhall not extend to any Knight or Eſquire, dwelling or reſorting in or to any ſuch Town.

XXIV. Stat. 45 H. 8. 6. Where ſuch perſons as ſhould paſs upon the trial of any iſſue in any of the Courts at *Weſtminſter*, ought to have Free-hold worth 40 s. *per annum*, The writs ſhall be in this form, *Rex*, &c. *præcipimus*, &c. *quod Venire facias coram*, &c. 12 *liberos & legales homines*, &c. *Quorum quilibet habeat* 40 *ſolid. terr. tenem. vel redd. per annum ad minus, per quos rei veritas*, &c. But when that is not requiſite, the clauſe, *Quorum quilibet habeat* 40 *ſolid. terr. vel redd. per annum. ad minus* ſhall be omitted.

XXV. Upon every *venire facias* that hath the ſaid clauſe, *Quorum quilibet*, &c. the Sheriff or other Officers ſhall not return any having leſs then 40 s. *per annum* freehold, out of ancient Demeſne, and in the ſame County where the iſſue is to be tried, in pain to forfeit for every one otherwiſe returned 20 s. They ſhall alſo return ſix hundredors at leaſt, if there be ſo many in the Hundred where the venue lieth, in pain to forfeit for every Hundredor not ſo returned 20 s. And in every ſuch writ, wherein that clauſe is omitted, they ſhall not return any, unleſs he may diſpend ſome lands or tenements, out of ancient Demeſne, and in the ſaid Hundred, and alſo ſix hundredors there upon the like pains.

XXVI. Upon every writ of *Habeas Corpora*, or *Diſtringas*, with a *Niſi prius*, The ſaid Sheriff or other officer ſhall returne Iſſue upon every man as followeth, *viz.* upon the firſt writ 5 s. upon the ſecond 10 s. upon the third 13 s. 4 d. and upon every other writ afterwards 26 s. 8 d. in pain of 5 l.

XXVII. In every ſuch writ of *Habeas corpora*, or *Diſtringas*, if a full Jury appear not, or being full, fall ſhort by challenge, the Juſtices (upon requeſt of either party) may command the Sheriff or other

other Officer to name so many others then present, as may make the Jury full, who shall be added to the former pannel, and their names annexed thereunto.

XXVIII. The parties may have their challenge to these *Tales de circumstantibus*, and the Justice may proceed to trie the issue by them, together with the others returned, as well as if such *Tales* had been returned upon such *Habeas corpora* or *Distringas*, and in such case the trial shall be as effectual, as if it had been tried by 12 of the Jurors returned.

XXIX. If any of the *Tales* being present do not appear, or after appearance withdraw himself, the Justices may set a fine upon him, to be levied, as issues of Jurors use, by the Common Law, to be levied.

XXX. Albeit the Jury be made fully by the *Tales*, yet the Jurors that made default, shall lose issues, as if the Jury had remained for want of Jurors.

XXXI. Upon a reasonable excuse (for default of a Juror) proved by two witnesses before the Justices, they may discharge the issues lost, and in that case the Sheriff or other Officer shall not incur the penalty for not returning issues: Also upon the not coming of the Justices the Jurors shall be discharged of their issues, and the Sheriff or other Officer of their penalties.

XXXII. If upon any *Habeas corpora* or *Distringas* any Juror be not lawfully summoned or distrained, the Sheriff or other Officer shall lose double the issues returned upon such Juror.

XXXIII. The said forfeitures (not issues) shall be divided between the King and the Prosecutor.

XXXIV. The right of others to issues so forfeited is saved.

XXXV. The Act shall not extend to any Sheriff or Minister of a Corporation, so that they return like issues, as before are limited.

XXXVI. Stat. 4, 5 P. M. 7. A *Tales de circumstantibus* may upon request for the King or Queen by any authorized thereunto, or signed by the Court or, upon request, by the Prosecutor or his Attorney, and by the command of the Justices of Assize or Nisi Prius, be granted in a suit commenced upon a penal Statute.

XXXVII. The *Stat.* of 35 H. 8. 6. shall be interpreted to give the advantages to the King, and Queen and prosecutor as it doth give to the Plaintiff, as if such suits for the King had been there particularly mentioned.

XXXVIII. Stat. 5 El. 25. *Tales de circumstantibus* shall be granted in the 12 Counties of *Wales*, and the Counties Palatine

of *Chester*, *Lancaster*, and *Durham*, being of the same effect with the Statute of 35 H. 8. 6. *See the Statute at large.*

XXXIX. Stat. 14 El. 9. In case the Plaintiff or Defendant for bear or refuse to pray a *Tales*, it shall be granted (by the Justices of *Nisi prius* in *England*, or those of *Oyer*, or Assize in *Wales*, *Chester*, *Lancaster*, and *Durham*,) at the prayer of the Defendant or Tenant, and that as well in suits upon penal Laws, as upon other trials.

XL. Stat. 27 *El.* 6. The ability of Jurors returned upon trials ordained by the Statutes of 2 *H.* 5. *Stat.* 2. *cap.* 3. and 35 *H.* 8. 6. to be 40 *s. per annum*, is increased to 4 *l. per annum*, upon the like pain of 20 *l.* to be forfeited by the Sheriff or other Officer, for every Juror otherwise returned; and in that respect the writs shall be *Quorum quilibet habet quatuor libras, &c.*

XLI. Here the issues to be returned shall be, as followeth, viz. upon the first writ 10 *s.* upon the second 20 *s.* upon the third 30 *s.* and the double of 30 *s.* afterwards, untill a full Jury be sworn, or the process otherwise cease, in pain that the Sheriff or other Officer shall forfeit 5 *l.* for every Juror returned with less issues set upon him.

XLII. Upon issues lost by a failer of lawful summons the Sheriff or other Officer shall forfeit the double issues.

XLIII. The Sheriff or other Officer that takes a bribe, and agrees to take it directly or indirectly for the sparing of a Juror shall forfeit 5 *l.* to be divided betwixt the Queen and the prosecutor.

XLIV. Upon any trial two Hundreders shall be hereafter deemed sufficient, notwithstanding any challenge hereafter to be made against the same.

XLV. All Lawful challenges shall be admitted, notwithstanding this Act; neither shall it extend to Juries in Corporations in *Wales*.

XLVI. Stat. 16 & 17 *Car.* 2. *cap.* 3. All Jurors, other than strangers upon trials, *Per medietatem linguæ*, returnable for trial of issues in the King's Bench, Common Pleas, or Exchequer, Justices of Assize, or *Nisi prius*, *Oyer* and *Terminer*, Gaol-delivery or General or Quarter Sessions of the Peace, after the 25 of *April* 1665. in any County of England, shall have in their own name, or in trust for them within the same County 20 *l. per annum*, at least in their own or their wives right, *ultra Reprisas*, of Freehold lands, or ancient Demesne, or rents in Fee, Fee-tail, or for life. And in every county of *Wales*, every such Juror shall have 8 *l. per annum*, as aforesaid; And if any be returned otherwise it shall

a good cauſe of challenge, and the party diſcharged, upon his own allegation and oath thereof.

XLVII. No Jury man's iſſues for default ſhall be ſaved but by ſpecial order of the Judges, for good cauſe proved before the Judg where the iſſue is to be tried.

XLVIII. The writts of *ven fac.* to be made out accordingly, and the Sheriff or other perſons to make out pannels, ſhall not return any perſons but ſuch as aforeſaid, upon pain for every perſon returned not having ſuch eſtate, the ſumme of 5 l. to the King his heirs and ſucceſſors.

XLIX. And for diſcovering ſuch perſons and eſtates, every ſheriff ſhall on the firſt day of every Seſſions after *Eaſter* yearly deliver to the Juſtices of the Peace then ſitting, the names of all ſuch perſons as are to be returned for Jury men, to be by the ſaid Juſtices, or greater part of them approved for Jury men for the year then next enſuing, and the ſaid Juſtices may add ſuch others as are omitted by the Sheriff, to ſerve of Juryes for the ſaid year: And the Sheriff, to incurre no penalty for returning any perſons added by the Juſtices, in caſe his eſtate be of leſs value then aforeſaid.

L. No Sheriff or other ſhall return any perſon, unleſs duly ſummoned by the ſpace of ſix days at leaſt before their days of appearance. And have left with, or for ſuch perſons in writing the names of all the parties in the cauſes in which they are to ſerve as Jurors; nor ſhall take any reward to excuſe the appearance of any Juror upon pain to forfeit 10 l. for every offence: Saving to Cities and Towns Corporate, their ancient uſage in returning Jurors of ſuch eſtate as hath been accuſtomed.

LI. Writs of *ven. fac.*, *Hab. Corpora* or *diſtringas* in the County Palatine of *Lancaſter* ſhall be ſued out, like as is uſed in other Counties in England, returnable at the next Aſſizes, and the like iſſues returned upon Jurors, and to be eſtreated as above provided.

LII. And the Sheriff of the ſaid County of *Lancaſter* for the time being ſhall cauſe 24 lawful men ſo qualified as before appointed by this Act, out of every of the ſix hundreds there, to be duly ſummoned, ten days before every Aſſizes, to appear the firſt day of every Aſſizes there to attend all the ſaid Aſſizes as Jurors in ſuch cauſes betweene party and party, upon pain to forfeit 10 l. to the uſe of the poor of the town where ſuch party offending doth inhabit, to be levied as other iſſues of Jurors be levied.

LIII. This Act to continue 3 years, and to the end of the next Seſſion of Parliament and no longer.

Juſtice, and right, and Juſtices.

I. **Stat.** 2 *E.* 3. 8. No command ſhall be made under the great or little ſeal, to diſturb or delay common right, and the Juſtices ſhall proceed to do right, notwithſtanding ſuch commands.

II. **Stat.** 18 *E.* 3. *Stat.* 3. 1. The oath to be given to Juſtices, when they take their places, to this effect, *viz.* to ſerve the King in their Offices, warn him of any damage, do Juſtice, take no bribe, give no councel where he is a party, maintain no ſuit, nor deny right (though by command from the King) to procure the King's profit, and to be anſwerable to the King in body, lands and goods, if found in default.

III. **Stat.** 20 *E.* 3. 1. The King's Juſtices ſhall do right to all without reſpect of perſons, notwithſtanding the King's letters or commands to the contrary, wherewith (if any be) they ſhall acquaint the King and his Council therewith; they ſhall take no fee but of the King, nor give councel where he is a party; and if they do amiſs, they ſhall be at the King's will in body, lands, and goods.

IV. **Stat.** 20 *E.* 3. 2. The like is commanded to the Barons of the Exchequer, and to diſpatch buſineſſes depending before them without delay.

V. **Stat.** 20 *E.* 3. 3. Juſtices aſſigned by Commiſſion, and of Aſſize, and Gaol-delivery; and their Aſſociates ſhall make ſuch oath, as ſhall be enjoyned them by the King's Council or the Chancery, before their Commiſſions be delivered unto them.

VI. **Stat.** 1 *Jac.* 10. None ſhall take any money or promiſe for the report of an order or cauſe referred unto them by any of the King's Judges or Court, directly or indirectly, in pain of 5 l. and to loſe his office or place in the ſame Court.

VII. The forfeiture is to be divided betwixt the King and the party grieved, if he will ſue for it; but if not, then betwixt the King and any other proſecutor.

VIII. This Act ſhall not prohibit the Clark from taking for his pains in writing the Report, *viz.* 12 d. for the firſt ſheet, and 2 d. a piece for the reſt.

Juſtices in Eyre.

I. **Marlbr.** 24, 52 *H.* 3. Juſtices in *Eyre* ſhall not amerce Townſhips, becauſe all of twelve years of age came not before the Sheriff

and Coroners, to make inquiry of robberies, Houſe-burnings, and other offences againſt the Crown, ſo that a full Inqueſt of thoſe Towns appear: Howbeit, upon an Inqueſt for the death of a man, all of 12 years of age ought to appear, unleſs they have ſome reaſonable cauſe of ablence.

II. **Weſt.** 1. *cap.* 18. 3 *E.* 1. The common fine and amerciament of the whole County in *Eyre* of the Juſtices for falſe judgment or other treſpaſs ſhall hereafter be Aſſeſſed by the ſaid Juſtices upon the oaths of Knights and other honeſt men, and not by Sheriffs and Barretters, as in times paſt hath been uſed: And the ſaid Juſtices ſhall cauſe the parcels thereof to be Eſtreated into the Exchequer, and not the whole ſumme onely.

III. **Weſt.** 2. *cap.* 10. 13 *E.* 1. Juſtices in *Eyre* (in their Circuits) ſhall appoint a certain time, before which all writs ſhall be delivered in, and then the Sheriff ſhall certifie the chief Juſtice in *Eyre*, how many writs he hath, and what they concern; after which time they ſhall not be received, or (if received) ſhall have no force, except writs, that abate during the Circuit, which may be amended; alſo except writs of Dower of men dying within the ſummons of the circuit, Aſſizes of *Darrein* preſentment, and *Quare impedit*, (of Churches vacant within the ſaid ſummons) and of *Novel diſſeiſin*.

Juſtices of Aſſize.

I. **Stat.** *Juſtic. Aſſiſarum, Incerti Temporis.* There ſhall be eight circumſpect and diſcreet Juſtices Aſſigned to take Aſſizes, Juries and Certificates throughout the Realm, *viz.* Two in the Counties, of *York*, *Northumberland*, *Weſtmerland*, *Cumberland*, *Lancaſhire*, *Nottingham*, and *Darby*: Two in the Counties of *Lincoln*, *Leiceſter*, *Warwick*, *Stafford*, *Salop*, *Northampton*, *Rutland*, *Glocester*, *Hereford* and *Wigorn*: Two in the Counties of *Cornwal*, *Devon*, *Somerſet*, *Dorſet*, *Wiltſhire*, *Southampton*, *Oxon*, *Berks*, *Suſſex*, and *Surrey*: And two in the Counties of *Kent*, *Eſſex*, *Suffolk*, *Norfolk*, *Cambridge*, *Huntingdon*, *Bedford*, and *Buckingham*.

II. Aſſizes, Juries and Inqueſts of *Middleſex* ſhall be taken before the Juſtices of the Bench.

III. The ſaid eight Juſtices ſo Aſſigned ſhall daily attend for that purpoſe at ſuch places as they ſhall think fit, and moſt for the eaſe of the people; and writs of Aſſizes, Juries, or Recognizances ſhall be granted to be taken before none but them, ſave of the ſpecial grace of the King.

IV. **Stat.** 20 *E.* 3. 6. Juſtices of Aſſize have power to inquire of

the misdemeanours of Sheriffs, Escheaters, Bailiffs, and other Ministers, Imbraceors and Jurors, and to punish such as be found guilty; And the Chancellor and Treasurer are to hear all complaints thereof, and to apply speedy remedy thereunto.

V. Stat. 6 *R.* 2. 5. Justices of Assize and Gaol-delivery shall hold their Sessions in the chief Towns of every County, where the Shire-Courts there use to be holden.

VI. Stat. 8 *R.* 2. 2. No man of Law shall be Justice of Assize or Gaol-delivery in his own Country, and the chief Justice of the Common Bench shall be Assigned amongst others to take Assizes, and to deliver Gaols, but as to the chief Justice of the King's Bench, it shall be as for the most part of 100 years last past hath been wont to be done.

VII. Stat. 11 *R.* 2. 11. Because it was found inconvenient to the subject, that Justices of Assize should be bound to hold their Sessions, where the Shire-Courts use to be held, the Chancellor, by the advice of the Justices, shall have power to order that otherwise as need shall be, notwithstanding the Statute of 6 *R.* 2. 5.

VIII. Stat. 20 *R.* 2. 3. No Lord nor other shall sit upon the Bench with the Justices of Assize; in pain of great forfeiture to the King, and the Justices there commanded not to suffer it.

IX. Stat. 11 *H.* 4. 3. Justices of Assize shall deliver into the Treasury the Records of Assizes of *Novel disseisin*, *Mortdancestor*, and *Certifications*, every second year after the plea determined and judgment given, and those Records shall not be amended or impaired after judgment given and recorded.

X. Stat. 14 *H.* 6. 3. The Sessions of the Justices of Assize and Goal-delivery in *Cumberland*, shall be holden (in the time of peace and truce) in the City of *Carlile*, and not elsewhere, according to the Statute of 6 *R.* 2. 5.

XI. Stat. 33 *H.* 8. 24. No Justice, or other learned in the Law shall be Justice of Assize in the County where he was born or doth inhabit in pain of 100 l. to be divided betwixt the King and the prosecutor.

XII. This Statute shall not extend to the Clark of Assize, or to any Associate, or to any such Justice of Assize.

XIII. Neither shall these words *Justices of Assize*, or others *learned in the Law*, extend to Officers in Corporations, but that they may be Justices of Assize of fresh force, or other Assizes in the place where they dwell or were born.

XIV. This Act shall not be prejudicial to any Justice of the one Bench or the other for hearing and determining Assizes in those Courts, nor to any Justice, that shall take any Assize by adjournment for difficulty thereof.

XV.

XV. The Clark of Aſſize ſhall not (during the Seſſions) be of Council to any within the Circuit, otherwiſe then as to his Office appertains in pain of 10 l. to be divided betwixt the King and the party grieved.

XVI. This Act ſhall not extend to Juſtices Clarks, nor Clarks of Aſſize within the Dutchy and County Palatine of *Lancaſter*.

Juſtices of both Benches.

I. **Weſt.** 1. *cap.* 45. 3 *E.* 1. One plea ſhall be decided by the Juſtices of the King's Bench, before another be commenced; yet *Eſſoins* ſhall be entred and allowed, but let none preſume to abſent himſelf at the day to him limited.

II. **Stat.** 10 *H.* 6. *Statutum per ſe.* The Juſtices, Serjeants, and the King's Attorney ſhall be paid their wages by the Treaſurer of *England* at *Eaſter* and *Michaelmas* by even portions without any other ſuit; *But this Statute is not in the Printed Book of Statutes.*

Juſtices of Gaol-delivery.

I. **Stat.** *de finibus levatis, cap.* 3. 27 *E.* 1. Juſtices of Aſſize preſently after the Aſſizes taken ſhall deliver the Gaols, but if one of them be a Clerk, the other that is Lay Aſſociating unto him, one of the moſt diſcreet Knights of the County, ſhall deliver the Gaols.

II. The Juſtices ſhall then alſo inquire, whether Sheriffs or any other have let out by plevin any priſoners not pleviable, or have offended in any thing againſt the *Stat. of weſt.* 2. 13 *E.* 1. and ſhall puniſh them according to the form of the ſaid Statute.

III. **Stat.** 2 *E.* 3. 2. Juſtices of Gaol-delivery and *Oyer* and *Terminer* procured by great men ſhall not be made againſt the form of the Statute 27 *E.* 1. 3. and Aſſizes, Attaints, and Certifications ſhall be hereafter taken before Juſtices commonly Aſſigned, being good and lawful men and having knowledge in the Law, and before none other, according to the Statute of *weſt.* 2. 29 *E.* 1. *which ſee in Oyer and Terminer* 1.

IV. **Stat.** 4 *E.* 3. 2. Good and diſcreet perſons ſhall be Aſſigned in all Shires of *England* to take Aſſizes, Juries, and Certifications, and to deliver the Gaols three times in the year at leaſt.

V. There ſhall alſo be Aſſigned good and lawful men in every County to keep the Peace, and ſuch as ſhall be indicted or taken by them and are not bailable by Law, ſhall not be let to main-priſe by the Sheriff or any other Miniſter, nor otherwiſe delivered then at the Common-Law.

VI. Justices of Gaol-delivery shall have power to deliver the Gaols of those that stand indicted before the Keepers of the Peace, which keepers shall send those Indictments before the Justices of Gaol-delivery, who shall have power to inquire of and punish Sheriffs, Gaolers, and others, which do any thing against this Act.

VII. Stat. 17 *K.* 2. 10. In every Commission of Peace, two men of law of the same County shall be Assigned to go and proceed to the deliverance of Thieves and Felons.

☞ Justices of Peace.

I. Stat. 1 *E.* 3. *Stat.* 2. 16. The King will, that in every County Good men and lawful which be no maintainers of evil or Barrettors in the Countrey, shall be Assigned to keep the Peace.

II. Stat. 4 *E.* 3. *Stat.* 1. *cap.* 2. Two or three of the best of reputation in the Counties shall be assigned Keepers of the Peace by the King's Commission, who (together with other wise and learned in the Law) shall have power to hear and determine Felonies and trespasses done in the same Counties, and to inflict punishment according to Law and reason.

III. Stat. 34 *E.* 3. 1. There shall be Assigned in every County for the keeping of the peace, one Lord, and 3 or 4 of the most worthy of the County, with some learned in the Law, who shall have power to arrest and chastise Rioters, Barrettors, and other Offenders, and also to imprison and punish them according to Law, and by discretion and good advisement; also to bind people of evil fame to the good behaviour, and to hear and determine felonies and trespasses done in the same County according to Law.

IV. Writs of *Oyer* and *Terminer* shall be granted according to the Statutes thereof made, and the Justices thereof shall be named by the Court and not by the party.

V. All general inquiries heretofore granted within any Seignories (or the mischieses done thereby) shall from henceforth cease and be repealed.

VI. The Fines imposed by Justices of Peace for trespasses shall be reasonable and just.

VII. Stat. 36 *E.* 3. 12. In the Commissions of Justices of Peace and labourers expres mention shall be made, that they shall keep their Sessions 4 times in the year, *viz.* one within the *Utas* or *Octabis* of *Epiphany*, the second within the second week of Lent, the third betwixt the feasts of *Pentecost* and S. *John Baptist*, and the fourth within eight days of S. *Michael*.

VIII. Stat. *Canterb. cap.* 10. 12 *R.* 2. In every Commission there shall

shall be but six Justices Assigned, who shall keep their Sessions every quarter at least, in pain to be punished at the discretion of the King's Council.

IX. Every Justice of Peace shall have for his wages 4 s. a day, and the Clark of the Peace 2 s. for so long time as the Sessions shall last, to be paid by the Sheriffs out of the fines and amerciaments arising at the same Sessions, whereunto Lords of Franchises shall be also contributary after the rate of their part of such fines and amerciaments.

X. No Steward of any Lord shall be Assigned in any commission of Peace neither shall any Association be made to the Justices of Peace after the first commission.

XI. Judges and Serjeants at Law shall not be bound to attend the Sessions, but when they can conveniently intend it.

XII. Stat. 13 R. 2. *Stat.* 1. 7. Notwithstanding the Statute of 12 R. 2. 10. which prohibits the Stewards of Lords to be Justices of the Peace, the most sufficient Knights, Esquires and Gentlemen of the Law shall be put in Commission, and sworn to put in Execution without favour, all Statutes, which concern their Office.

XIII. Stat. 14 R. 2. 11. There shall be 8 Justices of Peace Assigned in every County.

XIV. Double Estreats of the fines and amerciaments arising at the Sessions shall be made containing the names of all the Justices there present, and the number of days they sit, and one of them delivered to the Sheriff out of which he is to answer to the Justices their wages by indenture, according to which the Sheriff shall be again allowed the wages in the Exchequer upon his account; but no Duke, Earl, Baron, or Baronet (although he be Justice of Peace and holds Sessions with the other 8) shall have any wages allowed him. *Quare whether it ought not to be* Banerets; *for so it is in the first Edition of* Rastal, *which I have.*

XV. 2 H. 5. *Stat.* 1. 4. Justices of Peace in every Shire named of the *Quorum* shall be Resiant within the same Shire (except Lords, Judges, Serjeants at Law, and the King's Attorney) and shall keep their Sessions 4 times in the year, *viz.* in the first week after *Michaelmas*, *Epiphany*, *Easter*, and the Translation of St. *Thomas* the Martyr, *viz. Becket*, being the seventh of *July*, and oftener, if need require.

XVI. Stat. 2 H. 5. Stat. 2. 1. Justices of Peace shall be made of the most sufficient persons dwelling in the same Counties, by the advice of the Chancellor and the King's Council, without taking others dwelling in forrein Counties to execute that office, except Lords,

Lords, Justices of Assize, and the King's chief Steward of the Duchy-Lands in the *North* and *South* parts.

XVII. Stat. 18 H. 6. 11. Justices of Peace of *Middlesex* are not compellable to keep their Sessions above twice in the year, notwithstanding the Statute of 12 *R.* 2. 10. yet may they keep them oftener if need be, at their discretions.

XVIII. Stat. 18 *H.* 6. 14. None (except men learned in the Law, or inhabiting Corporations) shall be Justices of Peace, unless their Lands be worth 10 l. *per annum.*

XIX. If any be put into the Commission, not having Lands to that value, and do not within one moneth after notice thereof, acquaint the Lord Chancellor therewith, or do sit, or make any warrant, by force of such Commission, he shall forfeit to the King 20 l. to be divided betwixt the King and the prosecutor.

XX. Stat. 3 *H.* 7. 1. Justices of Peace shall at the next general Sessions, certifie recognizances taken for keeping the Peace, where, (if the party being called) do not appear, those Recognizances shall be certified into the Chancery, King's Bench, or Exchequer.

XXI. Stat. 4 *H.* 7. 12. The King commandeth all Justices of Peace diligently to exercise their office, to the end that his people by that means living in peace, and injoying their own, husbandry may flourish: He also chargeth all, both poor and rich, that shall suffer any grievance from others (wherein a Justice of Peace may intermeddle) that they forthwith make complaint thereof to the next Justice of Peace, and having no remedy there, to the Justices of Assize, if it be not long before their coming into that County, but if it be then to the Chancellor for the time being, and then the King will send for the Justice so neglecting his duty, and in case he shall finde him guilty thereof, will cause him to be put out of the Commission, and otherwise punished according to his demerits, and this Statute shall be proclaimed at every Quarter-Sessions, in pain that every Justice there present when it is not so proclaimed, shall forfeit to the King 20 s.

XXII. Stat. 2. 3 *P. M.* 18. A new Commission of the Peace or Gaol-delivery for the whole County shall not be a *Supersedeas* to a former like Commission granted to a City or Town-Corporate, being no County.

Keeper

Keeper of the Great Seal of *England*.

I. Stat. 5 El. 16. THe Authority, Preheminence, and advantages of the Lord Keeper of the Great Seal, and of the Lord Chancellor are declared to be the same to all intents, constructions and purposes.

King.

I. Stat. 13 *Car.* 2. *cap.* 1. What shall be High Treason against the King during his Majestie's life: *Vid. Title* Treason: *num.* XXXIX.

II. If any person or persons, during the King's life, shall maliciously and advisedly publish or affirm the King to be an Heretick or a Papist, or that he endeavours to introduce Popery; or shall maliciously and advisedly by Writing, Printing, Preaching, or other speaking, express, publish, utter, or declare any words, sentences, or other thing or things, to incite, or stir up the people to hatred or dislike of the person of his Majesty, or the established government: then every such person, being legally convicted, shall be disabled to have, injoy, or exercise any place, office, or promotion Ecclesiastical, Civil, or Military, or any other imployment in Church or State, other then his Peerage, and shall likewise be lyable to such further punishment as by the Common Laws and Statutes of the Realm may be inflicted in such cases.

III. If any person shall maliciously and advisedly by Writing, Printing, Preaching, or speaking, publish, declare or affirm, that the Parliament begun at *Westminster* the 30th of *Novemb.* 1640. is not dissolved, or not determined: or that it ought to be in being, or that there lies any obligation upon him or any other person, from any Oath, Covenant, or Engagement, to endeavour a change of Government; or that both, or either houses of Parliament have a Legislative Power without the King, or any words to the same effect. Such persons so offending shall incur the Penalty of a *Praemunire* mentioned in the Statute of 16 *R.* 2.

IV. The Solemn League and Covenant declared an unlawful Oath, and to have been illegally imposed upon the Subjects. And all Ordinances of either or both Houses of Parliament for imposing Oathes, Covenants, or engagements, levying Taxes, raising forces or armes without the King's assent or by Commission, were and are, & shall be void: Provided the said Ordinances and Orders may be made use of according to the Act of Indemnity: 12 *Car.* 2. 11.

V.

V. Provided no perſon be proſecuted for any offence in this Act (other then High Treaſon) unleſs it be by order of the King, his heirs or Succeſſors, under their ſign Manual, or of the Privy Council, directed to the Attorney general or ſome of the King's Counſell for the time being: nor unleſs ſuch proſecution be within ſix moneths, and the Indictment within three moneths after ſuch proſecution.

VI. *Proviſo*, for priviledge of debate in Parliament touching repealing or altering of Laws or redreſſing publique grievances.

VII. Provided, no perſon be indicted, arraigned, condemned, convicted or attainted for any Treaſons or Offences aforeſaid, but by Teſtimony of two lawful witneſſes upon oath, brought in perſon face to face, who ſhall openly avow upon oath what they have to ſay againſt the perſon accuſed, concerning the Treaſon or offences contained in the ſaid Indictment, unleſs the party ſhall willingly without violence confeſs the ſame.

VIII. Provided, no Peer be tryed for any Offence againſt this Act but by Peers: and every Peer convicted of any Offence againſt this Act be diſabled during life to ſit in Parliament, unleſs his Majeſty ſhall pleaſe to pardon him: and upon pardon granted to any Peer or Commoner convicted of any Offence againſt this Act, the party pardoned ſhall be reſtored to all intents and purpoſes, as if never convicted.

IX. **Stat.** 14 *Car.* 2. *cap.* 10. For ſetling an additional Revenue upon the King, for better ſupport of his Crown and dignity. Every dweling houſe and other edifice, and all lodgings and Chambers in the Inns of Court, Inns of Chancery, Colledges, and other ſocieties that are or ſhall be within *England*, *Wales*, and Town of *Berwick* (other then hereafter excepted) ſhall be charged with the annual payment for every Fire-hearth and Stove 2 s. *per annum*, and payable at *Michaelmas*, and our *Lady-day* by equal parcels half yearly for ever.

X. Owners and occupiers of ſuch houſes and chambers ſhall give a true account thereof in writing, of all the Hearths and Stoves in them, to the Conſtables and Tithing-men within their ſeveral Pariſhes: and Conſtables and other ſuch Officers ſhall require an account of them of all Hearths and Stoves in their Houſes; and in default may enter and view the ſame; and for every falſe return, the party offending ſhall forfeit 40 s.

XI. The ſaid Conſtables and other ſuch Officers ſhall deliver the accounts of their Returns at the next quarter-Seſſions after the laſt of *May* 1662. And the Juſtices of the Peace ſhall cauſe the ſaid accompts

compts of Hearths to be enrolled, and a duplicate thereof returned into the Exchequer.

XII. The said Hearth money shall be collected half-yearly, within six days after the same shall grow due: and acquittances shall be given by the Officers collecting it, which shall be good discharges for the same: and distress and sale of the goods of the party, in case of non-payment: rendring the overplus after the duty paid, and necessary charges for levying it.

XIII. Constables and other such officers shall pay in the money collected within 20 days to the High Constables of the several hundreds and limits: and shall have 2 d. in the pound for collecting the same: and shall deliver in writing to the High-Constables the names of such persons as have paid, and such as have not paid the same.

XIV. The High Constables shall pay the moneys by them received within 10 days unto the High-Sheriffs, deducting one penny in the pound for their pains: and deliver the several returns which they received from the Constables aforesaid: and the Sheriffs shall return the moneys received, and the names of the defaulters into the Exchequer, deducting 4 d. in the pound; 3 d. whereof to the Sheriff for his pains, and 1 d. to the Clark of the Peace, which the said Clerk may recover by Action of debt.

XV. *Proviso*, making the Sheriffs of *London* and *Middlesex*, & *Surrey* for that Borrough of *Southwark*, and all other Sheriffs of Cities and Towns being Counties, Collectors within their limits, and the Constables and other Officers, to deliver duplicates to the said Sheriffs, and they enabled to levy the said moneys, and give acquittances without fees: and within 40 days to pay the same into the Exchequer, with the names of defaulters where no distress is found: deducting as to other Sheriffs and Clarks of Peace: and the Officers of the Exchequer shall discharge persons paying without fees: and issue and process against such as fail of payment where no distress can be found.

XVI. This Revenue shall be duely answered into the Exchequer, and shall not be lyable to or charged with any gift or grant, and any *Non obstante* to the contrary shall be void, and the grantee an accomptant to the King, and the Court of Exchequer injoyned to issue out process accordingly.

XVII. If any Action be brought against any persons for execution of any thing within this Act, they may plead the general issue, and upon Non-suit, discontinuance, or verdict against the Plaintiff, the Defendant shall recover treble Costs.

XVIII. Increase and decrease of Hearths and Stoves shall in like manner

manner be accounted and returned by duplicates in writing into the Exchequer: and there discharged upon decrease without further pleading.

XIX. No prosecution for any arrearages of this duty unless suit be commenced within 2 years after they become due.

XX. *Proviso*, that no person who by reason of poverty is exempted from usual taxes be charged with any duties in this Act.

XXI. *Proviso*, for exempting from payment all houses under 20 s. value per annum, upon certificate by the Minister and Overseers of the poor to the two next Justices of the Peace.

XXII. *Proviso*, That none shall accept or procure any gift, pension or grant from the King of this Revenue, upon penalty to forfeit double the value thereof, one moiety to be to the use of the poor to be recovered by the Church-wardens of the Parish; the other Moiety to him that will sue for the same.

XXIII. *Proviso*, not to charge Blowing houses, Stamps, Furnaces, Kilns, private ovens, nor Hospitals or Almshouses, not having 1000 *l.* per annum of endowment.

XXIV. The occupier of the Hearth for the time being shall be charged, his Executors and Administrators, and not the Landlord.

XXV. No person indebted to the King for any the said duties shall be privileged as a debtor, to sue in the Exchequer, or assign to the King any such debt.

XXVI. **Stat.** 12 *Car.* 2. *cap.* 23. Certain Impositions upon Beer, Ale, and other Liquors, for the increase of the King's revenue during his life. *See the Statute at large.*

XXVII. The same settled upon the King, his heirs and successors for ever. *Stat.* 12 *Car.* 2 *ca.* 24.

XXVIII. **Stat.** 15. *Car.* 2. *ca.* 14. Every inhabitant, occupier of any house, lodging, &c. shall upon notice after next Sessions give a true accompt in writing under his hand, to the Constable of all the hearths and Stoves in such house, &c. who shall with 2 other inhabitants of the Parish, in the day time, enter into such house and upon his own view compare and see if the same be truly made; and indorse the said Account as what he finds upon his view, and return the same to the High Constable, together with a book or roll fairly written with 2 Colums, one containing the names of the persons and number of hearths and stoves chargeable by the said Act, the other the names of the persons and number of Hearths and Stoves not chargeable, which being received and compared, shall within 6 days be transmitted to the 2 next Just. of the Peace, who are impowred to examine the said High-constable and

other

Officers concerning the truth and faithfulness of their acting the premisses, which being done, the said Justices are within 10 days to transmit the same to the Clark of the Peace, who within 20 days is to engross the same to be kept in the County: and within 2 moneths to engross and return duplicates signed by himself and 2 Justices of the Peace into the exchequer.

XXIX. Penalty for omitting to return every Hearth upon the occupier 40 s.

XXX. Constables and Officers neglecting their duty shall forfeit 5 l.

XXXI. High Constables neglecting to perform their duties 10 l.

XXXII. Constables and Officers changing or leaving their offices, for that year, are notwithstanding enabled and required to perform the duties in relation to the premisses: and for every day they shall neglect to gather the moneys due shall forfeit 10 s. and such as shall gather and distrain for the same, may call to their assistance any a sufficient Inhabitant.

XXXIII. Sheriffs may appoint Deputies, under the Seal of their Offices, or their own hand and seal for collecting the said duties.

XXXIV. Provided, The Lord Treasurer and Chancellor of the Exchequer may give further allowance to the Clarks of the Peace for their pains in engrossing and returning duplicates into the exchequer.

XXXV. 5 Stat. 16 Car. 2. cap. 3. Reciting the said defects in the former Acts enacted that the King his heirs and successors may make officers for receiving and collecting the duties upon fire hearths and Stoves by the former Acts, and for viewing and numbering the same, and for inspecting and examining the several rolls, certificates and returns made and to be made into the Exchequer in pursuance of the said Act, or any other thing belonging to the same, which Officers accompanied with the Constable, Tithingman, Treasurer or under-Treasurer or other publick or parish Officers of the place, who are required to attend upon this occasion in all Parishes and places where there are no Constables, Tithingmen, or other publick Officers there, without any such assistance, to enter in the day time, into any dwelling or other house, edifice, lodging and chambers, and search and examine whether there be any more Fire-hearths and Stoves in the same then formerly returned and certified, and what Fire-hearths or Stoves increased or decreased since the former Certificates: and after to make like search yearly. And if they shall finde any variance in the number returned, both the Officer and Officers ap-

pointed

pointed by his Majesty, and the Constable or Tything-man or other Officer, as aforesaid, to exercise the same under his or their hand to the Clark of the Peace: and after a probation thereof by the said Justices in their Sessions, the same to be certified to his Majesties Remembrancer in the Exchequer, and the officer so appointed by the King unto the same shall after the 24 of *June* 1664 have power to collect and levy the revenue and duties aforesaid, and all arrears of the same.

XXXVI. The said duties shall from time to time be paid after the Feast of St. *Michael* the Arch-angel, and our *Lady*-day yearly unto the officers appointed by this Act to receive the same, upon demand by such Officer or his Deputy at the house, chamber or place where the same duty shall grow due. And in case of refusal or default of payment, by the space of an hour after such demand such Officer, or his deputy may with the assistance of a Constable or other officer, as aforesaid, in the day time levy the said duty, and all arrears, thereof by distress and sale of the party's goods refusing or making default, restoring the overplus above the said duty and arrears and necessary charges for distraining, the said charges not to exceed a moiety of the duty and arrears so levyed.

XXXVII. Provided and enacted no person be distrained or molested for the said duty, or any arrears, after two years next after the same shall become due; nor for any arrears already incurred past 2 years from the 24 of *June* 1664.

XXXVIII. And in case of violence, opposition or injury done by any person or persons to any such Officer or his deputy, in the due execution of this Act; the same proved by Oath before any Justice of the Peace or chief Magistrate of the City, Town or place dwelling near the place, who are hereby impowered to administer the said oath: It shall be lawful for any such Justice of the peace or Magistrate to punish such offenders, by imprisonment in the Common Gaol for any time not exceeding one month. And after the 24 of June 1664. All former officers appointed to collect the said duty are discharged: and the officers appointed by this to collect the same, shall pay the same into the exchequer, as in the former acts mentioned.

XXXIX. Provided none be employed as aforesaid, but upon security first given to the King, for due collecting and paying the said Revenue and taking an oath before one of the Barons of the exchequer, or before such persons as shall be authorised to take such security and oath, by Commission from the said court of exchequer for the due and faithful execution thereof, according to the laws enacted

unasked to that purpose: and that they shall demand no fee but onely from the King, upon pain of being disabled to execute the said office or imployment: and upon legal conviction to render treble damages to the party grieved: and shall sign and deliver acquittances for money by them received without any fee or reward whatsoever: and such acquittances shall be a final discharge, as in the first Act provided.

XL. If any person leave any house, lodging, or chamber before any half-year Feast, whereupon the said duty ought to be paid, the next occupier shall be chargeable with the same for the said half year. And if any person shall fraudulently stop up, deface, cover, or conceal any chimney-hearth or stove, chargeable by the said Act, the same to be proved, either by confession of the party, or upon oath before any Justice of the peace, or chief Magistrate, or by their view, he shall pay double the value of the duty for the same, to be levyed as aforesaid.

XLI. Houses let apart from lands belonging to them, or divided into several dwellings, and let to persons who upon poverty may pretend exemption from payment, shall pay the duty as they should have done before. And no person (except almes-houses) inhabiting in any City Burrough, Corporation, Market-Town) or Parish, which hath above two Chimneys, Fire-hearths or Stoves shall be exempted from payment. If any question or difference shall arise about the taking any distress, or levying any money by virtue of this Act, the same shall be heard and finally determined by one or more of the Justices of the Peace next adjoyning, or chief Magistrate of the Place respectively, upon complaint in that behalf.

XLII. Every Collector appointed by virtue of this Act shall pay all moneys received into the receit of the Exchequer half yearly within 3 moneths after the Feast of *Michaelmas* and our *Lady*-day, upon pain of losing his office: and all Justices of the Peace, Constables and Officers are to assist the Officers in collecting and levying the said duty.

XLIII. Provided no person be questioned for any arrears due on or before our *Lady*-day, 1664. who shall produce to the Collector a certificate to be approved by the two next Justices of the Peace, for their exemption from the said duty for that time, according to the Rules in the first recited Act; nor any person who hath truly paid the said duty, and shall if required, make proof thereof before any one Justice of the Peace or other chief Magistrate of the place.

XLIV. All officers to be appointed by the King for collecting and

receiving the ſaid duty ſhall allow to the Petit-Conſtables and Clarks of the Peace, all allowances for their pains by former Acts appointed.

Knights.

I. Stat. *De milit.* 1 E. 2. Divers cauſes for which a man may be excuſed from taking upon him the order of Knighthood, *See the Statute at large.*

II. Stat. 16, 17 *Ca.* 20. None ſhall be hereafter compelled by writ or otherwiſe to take upon him the order of Knight-hood, and all proceeding concerning the ſame ſhall be void.

☞ Labourers, Artificers, Servants, and Apprentices.

* I. Stat. 2, 3 E. 6. 15 ARtificers, Workmen, and Labourers, that conſpire together concerning their Work or wages, every of them ſo conſpiring ſhall forfeit for the firſt offence 10 l. to the King, and if he pay it not within ſix days after conviction, by witneſs, confeſſion, or otherwiſe, he ſhall ſuffer 20 days imprisonment, and during that time, ſhall have no ſuſtenance but bread and water: for the ſecond offence he ſhall forfeit 20 l. and that not paid within 6 days, as aforeſaid, ſhall ſuffer the Pillory; and for the third offence ſhall forfeit 40 l. and that not paid within the ſaid time, ſhall again ſuffer the Pillory, loſe one of his eares and be ever after taken as a man infamous and not to be credited.

☞ II Juſtices of Aſſize, Juſtices of Peace, Mayors, Bayliffs, and Stewards in Seſſions, Leets and Courts have power to hear and determine theſe offences, But quære *whether this branch of this Statute be not repealed by the general words of* 5 El. 4. *following.*

* III. Stat. 5 *El.* 4. So much of all Statutes made, and every branch thereof as touch or concern the hiring, keeping, departing, working, wages, or order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them, and the penalties and forfeitures concerning the ſame are repealed: Howbeit the ſaid Statutes and every branch and matter therein contained, not repealed by this Act, ſhall remain in force.

IV. None ſhall hire, or be hired for leſs then one whole year in the Arts of Clothier, Woollen Weaver, Tucker, Fuller, Clothworker, Sheer-man, Dier, Hoſier, Taylor, Shoo-maker, Tanner, Pewterer, Baker, Brewer, Glover, Cutler, Smith, Farrier, Currier, Sadler

Saddler, Spurrier, Turner, Capper, Hat or Felt-maker, Fletcher, Arrowhead-maker, Butcher, Cook, Miller.

V. Every perſon unmarried, or under the age of 30 years though married, having been brought up in any of the Arts aboveſaid by the ſpace of three years and not worth in lands 40 s. per annum; or in goods 10 l. and ſo allowed under the hands and ſeals of 2 Juſtices of Peace, the Head-officer, or two diſcreet Burgeſſes of the Place where the party ſo brought up hath lived by the ſpace of one whole year, not already retained in Husbandry, the Arts aboveſaid, or any other Art or Myſtery, or in any ſervice (upon requeſts of any perſon uſing the ſame Art) ſhall not refuſe to ſerve for the wages limited by the Statute; and being ſo retained ſhall not depart from his or their ſervice without one Quarter's warning before 2 lawful witneſſes, or ſome lawful cauſe to be proved before one Juſtice of Peace, or Head-officer, in pain of impriſonment without bail; but upon ſubmiſſion to perform the ſervice they ſhall be inlarged without fees which commitment and inlargement two Juſtices of Peace, the Head-officer, or two Burgeſſes, as aforeſaid, unto whom complaint ſhall be made, have power to command, as in their diſcretions, and upon due proof ſhall be thought fit.

VI. Every perſon between the ages of 12 and 60 not already retained in any ſervice, nor imployed about Husbandry, Mines, glaſs, Coal, Fiſhing, Sailing, proviſion of Grain or Meal for *London*, nor Gentleman born, nor Scholar in any Univerſity or School, not worth 40 s. per annum in lands, or 10 l. in goods, not having a father, Mother, or other Anceſtor (whoſe heir he is) worth 10 l. per annum in lands, or 40 l. in goods, ſhall be compelled to ſerve in Husbandry, and ſhall not depart that ſervice, otherwiſe then as is before limited; upon pain above expreſſed.

VII. None ſhall put away his ſervant before the end of his term without a quarters warning, or ſome lawful cauſe to be proved by 2 ſufficient witneſſes before the Juſtices of *Oyer* and *Terminer*, Juſtices of Aſſize, Juſtices of Peace in Seſſions a Head-officer or 2 diſcreet Alder-men or Burgeſſes in pain of 40 s.

VIII. No ſervant having ſerved in one City or Town ſhall get to ſerve in another without a Teſtimonial, *viz.* (in a Town Corporate under the Seals of the Towns or 2 houſholders there, and in the Country under the Seals of the Conſtable or Conſtables, and two houſholders there; which teſtimonial ſhall be made and delivered to the party, and alſo regiſtred by the Miniſter of the place, where the ſervant dwelt, for which the Maſter is to have two pence.

IX. The form of the teſtimonial is this: *Memorandum* that A. B.

ſervant to C. D. of I. in the County of E. Husbandman or Taylor, &c. in the ſaid County, is licenſed to depart from his ſaid Maſter, and is at his liberty to ſerve elſewhere, according to the Statutes in that caſe made and provided, In witneſs, &c.

X. The ſervant which ſheweth not ſuch a Teſtimonial to the chief Officer in a Corporation, or to the Miniſter, or ſome Officer in any other place where he is to dwell, ſhall ſuffer impriſonment till he procure one, and if he produce not one within 21 days after his Impriſonment, or ſhew a falſe one, he ſhall be puniſhed by whipping as a vagabond, and the Maſter that retains a ſervant without ſuch a Teſtimonial ſhall forfeit 5 l.

XI. Thoſe that work by the day or week ſhall continue at work, betwixt the middle of *March* and the middle of *September*, from 5 in the morning til betwixt 7 and 8 at night, except two hours allowed for breakfaſt, dinner and drinking, and half an hour for ſleeping from the midſt of *May* to the middle of *Auguſt*, and all the reſt of the year from twilight to twilight, except an hour and an half allowed for breakfaſt and dinner, in pain to have one peny defaulked out of their wages for every hours abſence.

XII. None that takes work by great ſhall leave the ſame before it be quite finiſhed, except for not payment of his wages, the queen's ſervice, licence of the Work-maſter or other lawful cauſe, in pain to ſuffer one moneths impriſonment without bail, and to forfeit 5 l. to the party grieved, beſides his coſts, and damages to be recovered at the common Law for the loſs ſuſtained.

XIII. None retained in ſervice to work, ſhall depart without licence, in pain of one moneth's impriſonment.

XIV. Such wages of Labourers, Artificers, and others as have been formerly rated, or concern husbandry ſhall be yearly aſſeſſed for the County by the Sheriff and Juſtices of Peace in Seſſions, and in Corporations by the Head-officer, at their *Eaſter*-Seſſions, or within 6 weeks after and before the 12 of *July* following, ſhall be certified under their hands and ſeals in the Chancery: whereupon the Lord Chancellor or Keeper ſhall ſend down printed Proclamations thereof into every Country, and Corporation before the firſt of *Septemb.* then next following, which the ſaid Sheriffs, Juſtices and Head-officer ſhall before *Michaelmas* after cauſe to be inrolled, and proclaimed. But here, when the old rates ſhall be certified to ſtand, no Proclamation is needful.

XV. A Juſtice of Peace or chief Officer which ſhall be abſent at the taxing of wages (being not letted by ſickneſs, or ſome other reaſonable cauſe to be allowed by the Juſtices upon *Affidavit*) ſhall forfeit 10 l.

XVI.

XVI. None ſhall give greater wages then thoſe ſo rated, as aforeſaid, in pain of 5 l. and 10 days impriſonment without bail, and if any perſon ſhall be convicted before two Juſtices of Peace or a head-officer of taking more wages, he ſhall ſuffer 21 days impriſonment without bail.

XVII. Every retainer, promiſe, gift or payment of wages, or other thing contrary to the true meaning of this Act; and every writing and bond to be made for that purpoſe, ſhall be void.

XVIII. If any ſervant, or other ſhall be convicted before 2 Juſtices of Peace or a chief Officer, as aforeſaid, by his own confeſſion, or the teſtimony of 2 honeſt men to have aſſaulted his Maſter, Miſtreſs, Dame or Overſeer, he ſhall ſuffer 1 years impriſonment, or leſs, if the Juſtice or chief officer ſhall think fit; and if the party ſhall be thought to deſerve a more ſevere puniſhment, then to receive ſuch open puniſhment (life and member excepted) as the Juſtices in Seſſions or the chief officer and 4 of the diſcreeteſt men in the Corporation ſhall think convenient.

XIX. Artificers ſhall work in hay-time and Harveſt, in pain of Impriſonment in the Stocks 2 days and one night, which the conſtable ſhall inflict upon them, in pain of 40 s.

XX. It ſhall be lawful for labourers (other then ſuch as are retained in ſervice according to this Statute) to go to other Shires to work in hay-time and Harveſt, ſo that they bring with them a teſtimonial under the hand of one Juſtice of Peace, or a chief officer, teſtifying that they have not ſufficient work in the place where they lived the Winter before, for which teſtimonial they ſhall only pay a peny.

XXI. Every unmarried woman, fit to ſerve, being above 12 years old, and under 40, ſhall by two Juſtices of Peace, a chief Officer or 2 Burgeſſes be compellable to ſerve for convenient time and wages in pain of impriſonment.

XXII. Husbandmen being houſholders and uſing half a plough-land at leaſt in tillage may take by Indenture Apprentices above the age of 10 years and under 18, to ſerve in Husbandry untill the age of 21 years, at leaſt, or 24 years, as the parties can agree.

XXIII. Every houſholder of the age of 23 years dwelling in a Town Corporate, and uſing there any Art or Myſtery, ſhall and may take an Apprentice for 7 years at leaſt; Howbeit the term ſhall not to expire before the Apprentice accompliſh the age of 24 years.

XXIV. Merchants, mercers, Drapers, Goldſmiths, Iron-mongers, Embroiderers, and Clothiers dwelling in Corporate Towns, ſhall

take no Apprentices, but their own children, or ſuch whoſe parents have inheritance, or Free-hold of 40 s. *per annum*, to be certified under the hands and ſeals of three Juſtices of Peace of the county where ſuch lands lie, to the head Officer of the ſaid Corporation, who ſhall cauſe the ſame to be recorded. Artificers in market-towns not Corporate, being houſholders, and of the age of 24 years may take other artificers children to ſerve as Apprentices.

XXV. Merchants, Mercers, Drapers, Gold-ſmiths, Iron-mongers Embroiderers, and Clothiers dwelling in Market-towns not corporate, ſhall take no apprentices but their own children, or ſuch whoſe parents have inheritance of Free-hold worth 3 l. *per annum*, to be certified under the hands and ſeals of 3 Juſtices of Peace, as aforeſaid.

XXVI. Smiths, Wheel-wrights, Plough-wrights, Mill-wrights, Carpenters, Rough-maſons, Plaiſterers, Sawyers, Lime-burners, Brick-makers, Brick-layers, Tylers, Salters, Helyers, Tile-makers, Linnen-Weavers. Turners, Coopers, Millers, Earthen Potters, Wollen Weavers, (of Houſwifes cloth onely) Fullers, Woodburners, Thatchers, and Shinglers may take Apprentices though their Parents have no land.

XXVII. None which hath notſerved an Apprentice 7 years in any Art or Myſtery now uſed, ſhall uſe the ſame, or ſet any other to work therein, which hath not ſo ſerved out that time, in pain to forfeit 40 s. for every moneth.

XXVIII. Woollen cloth Weavers (other then ſuch as inhabit *Cumberland*, *Weſtmerland*, *Lancaſter*, or *Wales*, or in Cities, Corporations, or Market-towns) ſhall take no Apprentices, nor teach any their Art, ſave their own children, or ſuch whoſe parents have Inheritance or Freehold worth 3 *l.* per annum, to be certified under the hands and ſeals of 3 Juſtices of Peace of the County where the lands lie, in pain to forfeit 20 s. for every moneth: and the Indenture ſhall within 3 moneths be regiſtred in the Pariſh where the maſter dwells, the fee of which regiſtring is 4 d.

XXX. Every Cloth-worker, Fuller, Sheerman, Weaver, Taylor and Shoo-maker, ſhall for every three apprentices keep one Journey-man, and for every apprentice above three another Journeyman, in pain of 10 *l.*

XXX. This Act ſhall not prejudice Worſted-makers, nor worſted-weavers in *Norwich* and *Norfolk*.

XXXI. If any perſon fit to make an apprentice refuſe to ſerve upon demand, one Juſtice of peace, Mayor, or Head-officer unto whom complaint thereof ſhall be made, have power to commit him to ward, untill he ſhall be willing to ſerve accordingly.

XXXII.

XXXII. If there ſhall ariſe any difference betwixt the Maſter and the apprentice, one Juſtice of Peace in the Country, or the mayor, or Head-officer in a Corporation, or Market-town, ſhall have power to reconcile it, if they can; if not, then to bind over the Maſter to the next quarter-ſeſſions, where the juſtice of Peace or any four of them (1. Q.) or the Head-officer with the conſent of 3 of his Brethren ſhall upon default found in the maſter in writing under their hands and ſeals have power to diſcharge the apprentice of his ſervice; and if default be found in the apprentice, then to inflict ſuch puniſhment upon him as in their diſcretions ſhall be thought fit.

XXXIII. None ſhall be bound to enter into an apprentice-ſhip, other then ſuch as be under the age of 21 years.

XXXIV. Juſtices of peace in their ſeveral Diviſions, and head-officers in Towns corporate ſhall meet twice every year. *viz.* once betwixt *Michaelmas* and *Chriſtmas*, and another time betwixt the *Lady-day* and *Midſummer*, to give order for the due execution of this Statute.

XXXV. Juſtices of Peace and Head-officers ſhall have 5 s. for every day they ſit about the execution of this Statute, to be allowed them out of the fines which accrue upon the breach thereof, ſo that their ſitting be onely for matters contained in this Statute, and not above three days at one time.

XXXVI. The forfeiture, aforeſaid (except thoſe otherwiſe limitted) ſhall be divided betwixt the Queen and the proſecutor; and all Juſtices of peace or any two of them (1. Q.) and every head-officer ſhall have power to hear and determine the breach of this Statute upon Indictment or otherwiſe, and to award proceſs and execution accordingly, and ſhall yearly in *Michaelmas* term by Eſtreat certifie into the exchequer the fines, which accrue upon this Statute in manner as they ought to do in other caſes.

XXXVII. This Act ſhall not reſtrain the Cities of *London* and *Norwich* from taking of apprentices as in times paſt.

XXXVIII. None ſhall take apprentices otherwiſe then is limited by this Act, in pain of 10 l. and all indentures otherwiſe made ſhall be void.

XXXIX. An apprentice ſhall be bound by his indentures notwithſtanding his non-age of 21 years.

XL. The Inhabitants of *Godalming* in *Surrey* may take and uſe ſuch arts and apprentices as Market-towns may do by vertue of this act.

XLI. The fines accruing by this Act in Towns corporate ſhall be appointed by the Head-officer to be collected as other fines and a-

amerciaments) for the uſe of the ſame Towns.

XLII. When an Apprentice departs from his Maſters ſervice into another County or Corporation, it ſhall be lawful for the Juſtice of Peace, or Head-officers there being (Juſtices of Peace) to direct a *Capias* to the Sheriff, or other chief Officer for his apprehenſion, and being taken, the ſaid Juſtice of Peace or Head-Officer ſhall commit him to ward until he give good ſecurity, that he will honeſtly ſerve out his time.

XLIII. Notwithſtanding this Act, High-Conſtables have power to keep their Statute-Seſſions, ſo that they there do nothing repugnant thereunto.

☞ XLIV. Stat. 1 *Jac.* 6. The Statute of 5 *El.* 4. ſhall give power to the Juſtices of Peace to rate the wages of any Labourers, Weavers, Spinſters, and Work-men or Work-women whatſoever.

XLV. The rating of ſuch wages in Seſſions by the more part of the Juſtices within any particular Riding or Diviſion (where general Seſſions have been uſed ſeverally to be kept) ſhall be as effectual, as thoſe rated at the general Seſſions of the whole County.

XLVI. The Sheriffs and Head-officers within their ſeveral precincts ſhall cauſe the ſaid rates to be proclaimed in ſuch ſort, as if they had been ſent down printed from the Lord Keeper, which all perſons ſhall be bound to obſerve, upon the pains and penalties mentioned in the ſaid Statute of 5 *El.* 4.

XLVII. A Clothier or other convicted before the Juſtices of Aſſize or Peace in Seſſions, or before two Juſtices of Peace (1 Qu.) by his own confeſſion, or the evidence of two witneſſes not to have obſerved the ſaid rates, by paying leſs then in the rates ſo appointed, ſhall forfeit 10 s. to the party grieved, to be levied upon warrant from the ſame Juſtices by diſtreſs and ſale of the goods.

XLVIII. None ſhall incur any danger for not making certificate of the Rates into the Chancery according to 5 *El.* 4.

XLIX. A Clothier being alſo a Juſtice of Peace, ſhall not be a rater of wages for any Artificer, that depend upon making of Cloth.

Lancaſter.

1. Stat. 33 *H.* 6. 2. An Indictment found in Lancaſhire againſt a forreigner dwelling in another County, ſhall be void, unleſs each Juror had Lands and Tenements there of the yearly value of 1 l.

H. The

II. The like Law is of an Indictment found in another County (and not in Lancaſhire) againſt an Inhabitant of Lancaſhire, where each Juror hath not Lands and Tenements worth five pounds *per annum*.

III. Stat 37 H. 8. 16. Lands annexed to the Dutchy of *Lancaſter*, and theſe exchanged by the King, with others for the inlargement and conveniency of the ſaid Dutchy. *See the Statute at large.*

IV. Stat. 2. 3 P. *M.* 20. A farther enlargement of the ſaid Dutchy. *See the Statute.*

V. Stat. 16, and 17 *Car.* 2. *cap.* 9. An Act impowering the Chancellor of the Dutchy to grant Commiſſions for taking Affidavits within the Dutchy Liberty, to be filed and made uſe of at hearings in the Court of Dutchy-Chamber, 12 d. onely to be paid for taking the ſame.

Leaſes.

I. Stat. 32 H. 8. 28. Leaſes made by Tenant in tail, or by him who is ſeized in the right of his wife or Church (they being of full age at the time of ſuch Leaſe made) ſhall be good and effectual in the Law againſt the Leſſors, their wives, heirs and ſucceſſors.

II. The Statute ſhall not extend to any leaſe to be made of lands in the hands of any Farmer by force of any old leaſe, unleſs ſuch old leaſe expired within a year after the making of the new; nor to any grant to be made of any Reverſion of Mannors, Lands, &c. nor to any leaſe of ſuch Mannor, Lands, &c. which have not been let to farm or occupied by Farmers, 20 years before ſuch leaſe made; nor to any leaſe to be made without impeachment of waſte, nor to any leaſe to be made for above 21 years, or three lives from the day of the making thereof, and that upon every ſuch leaſe there be reſerved ſo much yearly rent, as hath been uſually paid for the lands ſo let within 20 years next before ſuch leaſe made; and the Reverſioners of the Mannors, Lands, &c. ſo let (after the death of ſuch Leſſor or his heirs) may have ſuch remedy againſt ſuch Leſſee, his Executors and Aſſigns, as ſuch Leſſor might have had againſt ſuch Leſſee.

III. Provided, that all Leaſes made by the husband of Mannors, Lands, &c. (being the inheritance of the wife) ſhall be made by Indenture in the name of the husband and wife, and ſhe to ſeal to the ſame, and the rent ſhall be reſerved to the husband and wife, the heirs of the wife: and here the husband ſhall not alien or diſcharge

charge the rent, or any part thereof longer then during the coverture, unleſs it be by fine levied by husband and wife.

IV. This Act ſhall not extend to give liberty to take more farms or leaſes then might have been been taken before this Act, *vide ſtat.* 25 *H.* 8. 13. *Sheep*) nor to any parſon or Vicar to make any leaſe, otherwiſe then they might have done before.

V. All leaſes for years made within 3 years before the 12 of *April* in 31 *H.* 8. by writing indented under ſeal by any perſon or perſons of full age, *ſane memory*, not unlawfully coarcted nor covert Baron, of any mannors, Lands, &c. wherein he or they have an eſtate of Inheritance to his or their own uſe at the time of the making thereof, and whereof the leſſee or leſſees, or their aſſignes have now the poſſeſſion by force of ſuch leaſe or leaſes, and no cauſe of re-entry or forfeiture thereof had or made, ſhall be good in law againſt ſuch leſſors, their heirs and ſucceſſors; ſo as ſo much yearly rent be reſerved for the ſame, as was paid for the ſame within 20 years next before the making of ſuch Leaſe or Leaſes; or elſe ſuch Leaſe or Leaſes to be of no other force, then they were before the making of this Act.

VI. No fine, Feoffment, or other Act done by the husband onely of the inheritance of Free-hold of the wife, ſhall make any diſcontinuance, or prejudice the wife or any other, who is to injoy it after her deceaſe; the fines levied by the husband and wife onely excepted.

VII. This Act ſhall not give liberty to the wife or her heirs to avoid any Leaſe hereafter to be made of the wife's Inheritance by the husband and wife for 21 years or under, or three lives, whereupon the accuſtomable yearly rent for 20 years before is reſerved, according to the tenor of this Act.

VIII. This Act ſhall not extend to make good any Leaſe, made by any Eccleſiaſtical perſon which are made void by authority of Parl. or by any ſuch perſon or other now attainted of treaſon.

IX. Stat. 1 *Eliz. not printed.* All eſtates made by any Archbiſhop or other Biſhop of any Mannors, Lands, &c. parcel of the Poſſeſſions of their Biſhoprick, or united or appertaining thereunto, to any perſon or perſons, body politick, or corporate, other then to the *Queen*, her heirs and ſucceſſors, and other then for the term of 21 years and 3 lives from the time of ſuch eſtate made, and whereupon the accuſtomed yearly rent or more ſhall be reſerved and payable yearly during ſuch term for 21 years or 3 lives, ſhall be void to all intents and purpoſes.

X. Stat. 13 *El.* 10. All Leaſes, Conveyances, or eſtates made by,

by any Maſter or Fellows of any Colledge, Dean and Chapter, or any Cathedral, or Collegiate Church, Maſter or Gardian of any Hoſpital, Parſon, Vicar, or any other having any ſpiritual or Eccleſiaſtical living, or any houſes, lands, titles, or other hereditaments, being parcel of their Colledge, Cathedral, Chapter, Hoſpital, parſonage, Vicarage, or other ſpiritual promotion, or belonging thereunto, other then for 21 years or 3 lives from the making thereof, and whereupon the accuſtomed yearly rent or more ſhall be reſerved and payable yearly during the term, ſhall be utterly void, to all intents and purpoſes.

XI. This Act ſhall not make good any Leaſe or other Grant againſt the private Statutes of any Colledge or collegiate Church.

XII. This Act ſhall not extend to any Leaſe, hereafter to be made upon ſurrender of a former Leaſe, or by reaſon of any covenant or condition contained in any former Leaſe, and ſtill continuing; ſo as the Leaſe to be made contain not more years then the reſidue of the years of ſuch former Leaſe, nor any leſs rent then is thereby reſerved.

XIII. **Stat.** 13 *El.* 20. No leaſe made of any Benefice or Eccleſiaſtical Promotion with *Cure*, or any part thereof (and not impropried) ſhall indure any longer then while the leſſor ſhall be ordinarily reſident and ſerving the *Cure*, of ſuch Benefice without abſence above 80 days in any one year, but that every ſuch Leaſe, *ſo ſoon as it or any part thereof ſhall come into any poſſeſſion or uſe above forbiden*, or immediatly upon ſuch abſence, ſhall ceaſe and be void; And the Incumbent ſo offending ſhall loſe a years profit of his Benefice to be diſtributed by the Ordinary amongſt the poor of the Pariſh.

XIV. Provided, that every Parſon, allowed to have two Benefices, may demiſe one of them (upon which he is not moſt ordinarily reſident) to his Curate onely, but ſuch Leaſe ſhall indure no longer then during ſuch Curates reſidence, without abſence above 40 days in any one year.

XV. **Stat.** 14 *El.* 11. In the Statute of 13 *El.* 20. theſe words (*ſo ſoon as it, or any part thereof ſhall come to any poſſeſſion or uſe above forbidden, or*) repealed.

XVI. All Bonds, Contracts, Promiſes, and Covenants hereafter to be made for ſuffering or permitting any perſon to enjoy any Benefice or Eccleſiaſticall Promotion, with *Cure*, or to take the fruits thereof (other then ſuch Bonds and Covenants made for aſſurance of any Leaſe heretofore made) ſhall be adjudged of ſuch validity (and no otherwiſe then) as Leaſes thereof made: The like law is of Leaſes, Bonds, Promiſes, or Covenants made by Curates.

XVII

XVII. The Branch of the Statute of 13 *El.* 10. made to avoid certain Leaſes made by certain perſons having Spiritual Livings, ſhall not extend to houſes ſcituate in Corporations or Market-towns or the ſuburbs thereof, nor unto the Grounds appertaining to ſuch houſes, ſo as they be not the dwelling houſes of ſuch perſons, nor have above ten acres of ground belonging to them.

XVIII. Provided, that no Leaſe ſhall be made by force of this Act, in reverſion, or without reſerving the accuſtomed yearly rent at leaſt, or without charging the Leſſee with reparations, or for longer term then 40 years. Neither ſhall any ſuch houſes be alienated without purchaſing preſently after other lands in fee-ſimple of as good value and as great yearly value as the houſes ſo alienated.

XIX. Stat. 18 *El.* 6. Upon Leaſes made by Colledges in the two Univerſities *Winchester* and *Eaton*, the third part of the rent ſhall be reſerved in Grain, to be delivered to them yearly at days prefixed, after the rate of 6 s. 8 d. for a quarter of Wheat, and 5 s. for a quarter of Malt, or under thoſe prices: or it ſhall be in the Election of the Leſſee to pay them in kind, at the beſt rates found in thoſe ſeveral Markets reſpectively the next Market-days before the ſaid day prefixed for the payment or delivery thereof; and all Leaſes otherwiſe made, and all bonds and aſſurances given to the contrary ſhall be void: which ſaid grain or money ſhall be expended for the relief of the Commons and diet of the ſaid Colledges reſpectively without fraud, in pain of deprivation of the Chief Rulers of ſuch Colledges reſpectively, and of all others conſenting thereunto.

XX. This Act ſhall not extend to any Leaſe to be made by the Preſident and Scholars of S. *Johns* Colledge in *Oxford* of the Manor of *Fifield*, to the Heir male of Sir *Thomas White*, Knight, late Alderman of *London*, and founder of the ſaid Colledge.

Stat. 18 *El.* 11. All leaſes made by ſuch perſons as are mentioned in the *Stat.* of 13 *El.* 10. where another Leaſe is in being, not to be expired, ſurrendred, or ended within three years next after the making of ſuch new leaſe, ſhall be void: And all bonds and covenants for removing of any ſuch leaſe contrary to this Act, or to the ſaid Statute of 13 *El.* 10. ſhall alſo be void. Howbeit this Act ſhall not extend to any Leaſe or Leaſes heretofore made by any ſuch perſon or perſons.

XXII. After complaint to the Ordinary, and ſentence given upon any offence committed by the Incumbent againſt the *Stat.* of 13 *El.* 20. whereby he ought to loſe the profits of his Benefice, the Ordinary within two moneths after ſuch ſentence given, and requeſt made

made by the Church-wardens or one of them, ſhall grant the ſequeſtration thereof to ſuch Inhabitant or Inhabitants there, as to him ſhall ſeem convenient; and upon default in the Ordinary, it ſhall be lawful to every Pariſhioner there to retain his tithes, and for the Church-wardens to take the profits of the Glebe, and other rents and duties of ſuch Benefice to be imployed to the uſe of the poor, until the ſequeſtration ſhall be committed by the Ordinary, and then the Church-wardens and Pariſhioners are to accompt to him or them, to whom ſuch ſequeſtration ſhall be committed, and he or they ſhall imploy the ſaid profits to ſuch uſes as by the ſaid Statute of 13 *El.* 20. are appointed, in pain to forfeit the double value of the profits withholden, to be recovered in the Eccleſiaſtical Court by the poor of the Pariſh.

XXIII. Stat. 43 *El.* 9. All judgements hereafter to be had for the intent to have or enjoy any Leaſe contrary to the Statutes of 13 *El.* 20. 14 *El.* 11. and 18 *El.* 11. or any of them, ſhall be deemed void, in ſuch ſort as Bonds and Covenants are appointed to be void, which are made for that purpoſe.

XXIV. Stat. 12 *Car.* 2. *cap.* 31. Leaſes and Grants by Colledges and Hoſpitals, and Elections of Heads, Maſters and Fellows, made during the late troubles, confirmed under ſome Exceptions and Proviſoes.

XXV. Stat. 13 *Car.* 2. *cap.* 4. The King enabled to make Leaſes, Grants, and Copies of Offices, Lands, Tenements and Hereditaments parcel of the Dutchy of *Cornwal*, and a confirmation of ſuch as be made not exceeding 31 years or three lives.

Leather and Hides.

I. Stat. 14 *Car.* 2. *cap.* 7. None ſhall tranſport beyond Seas any raw Leather or Hides tanned or untanned, and for the regulating abuſes in Leather, and the *Stat.* 18 *El. cap.* 9. 8 *El. cap.* 14. 5 *El. cap.* 22. and 1 *Jac. cap.* 22. mentioned, and the exportation of Hides declared a common nuſance.

The Act not to extend to prohibit the tranſporting of Boots and Shooes, nor Hides and Leather, to be neceſſarily uſed in any Ship. *See Title* Cordwainers, Curriers, *&c.*

Lee-River.

I. Stat. 13 *E.* 18. For making the River of *Lee* Navigable from *Ware* to *London*. *See the Statute.*

Lees

Leet.

I. Stat. 18 E. 2. The Articles of the charge in a Leet.

II. Stat. 1 Jac. 5. No Steward, or Deputy-Steward of any Leet, or Court Baron, ſhall make benefit to the value of 12 d. or more, by colour of any Grant made of the profits or perquiſites of any ſuch Courts whereof he is Steward, in pain to be diſabled for ever after to be Steward of any Court, and beſides to forfeit 40 l. to be divided betwixt the King and the Proſecutor.

Libel.

I. Stat. 2 H. 5. 3. A Copy of a Libel grantable in the Eccleſiaſtical Court ſhall be preſently delivered upon the defendants apparence.

Limitation.

I. Merton, 25 H. 3. 8. Seiſin of ones Anceſtor in a writ of *right* ſhall be from the time of H. 2. In a *Mortdanceſtor*, writ of *Neiſe*, and of *Entry*, from the laſt return of King *John* out of *Ireland*; and in an Aſſize of *Novel diſſeiſin* from *Henry* the thirds firſt voyage into *Gaſcoign*.

II. Weſt. 1. 3 E. 1. 38. Seiſin of ones Anceſtor in a writ of *right* ſhall be from the time of R. 1. In an Aſſize of *Novel diſſeiſin* and *Nuper obiit*, from H. 3. his voyage into *Gaſcoign*; and in a *Mortdanceſtor*, *Coſenage*, *Aeal*, and *Neiſe*, from the Coronation of H. 3.

III. Stat. 32 H. 8. 2. Seiſin in a writ of *right* ſhall be within 60 years before the *Teſte* of the ſame writ.

IV. In a *Mortdanceſtor*, *Coſinage*, *Ayel*, writ of *Entry ſur diſſeiſin*, or any other poſſeſſory Action, upon the poſſeſſion of his Anceſtor or Predeceſſor, it ſhall be within 50 years before the *Teſte* of the original of any ſuch writ.

V. In a writ upon the parties own ſeiſin or poſſeſſion, it ſhall be within 30 years before the *Teſte* of the original of the ſame writ.

VI. In an Avowry or Cognizance for rent, ſuit, or ſervices of the ſeiſin of his Anceſtor, Predeceſſor or his own, or of any other, whoſe eſtate he pretends to have; it ſhall be within 40 years before the making of ſuch Avowry or Cognizance.

VII. *Formedons* in *revrter* or *remainder*, and *ſcire facias* upon fines ſhall be ſued within 50 years after the title or cauſe of Action accrued and not after.

VIII. The

VIII. The party demandant Plaintiff, or Avowant that (upon Traverſe or denier by the other party) cannot prove actual poſſeſſion or ſeiſin within the times above limited, ſhall be for ever after barred in all ſuch writs, actions, avowries, cognizance, preſcription, &c.

IX. Provided, that in any of the ſaid actions, avowries, preſcriptions, &c. the parties grieved may have an attaint upon a falſe verdict given.

X. Stat. 1 *M.* 1 *Parl.* 2. *Seſſ. cap.* 5. The Statute of 32 *H.* 8. 2. ſhall not extend to a writ of *right of Advowſon*, *Quare impedit*, Aſſize of *Darrein preſentment*, *Jure patronatus*, writ of *right of ward*, writ of *raviſhment of ward*, nor to the ſeiſor of the wards body or eſtate: but the time of the ſeiſin to be alledged in ſuch caſes, ſhall be as it was at the Common Law before the making of the ſaid Statute.

XI. Stat. 21 *Jac.* 2. The King, his heirs or ſucceſſors ſhall recover no concealed Mannors, Lands, Tenements, Rents, Tythes or Hereditaments (other then Liberties and Franchiſes, and the iſſues and profits which concern the ſame) nor make any Right, Claim, or Demand of, in or to the ſame, by reaſon of any right or title accrued 60 years and more, and now in *eſſe*; unleſs the King or ſome of his Predeceſſors, or ſome other, under whom he claims, have been anſwered (by force of ſuch right or title) the Rents, iſſues and profits thereof, within 60 years next before the beginning of this Parliament; Or that the ſame have been duly in charge to the King, or Queen *Elizabeth*, or have ſtood in *in ſuper* of record within the ſaid time.

XII. This Act ſhall not extend to impeach the Kings right or title to any reverſion or remainder, nor to alter the tenures or ſervices of Lands: And here alſo, the right of all others (ſave of the King) is ſaved.

XIII. Neither ſhall this Act extend to annul the cuſtom of two pecne paid for every Chaldron of Sea-Coals at *Newcaſtle* upon *Tine*.

XIV. Provided, that no putting in charge ſtanding *ſuper*, or anſwering the rents or profits of any Lands or Hereditaments, by force or colour of any Letters Patents, Grants of Concealments, or defective Titles, or of Lands, Tenements or Hereditaments, out of charge or by force or colour of any inquiſitions, preſentments, upon any Commiſſion, or other authority to find out Concealments, Defective Titles, or Lands, Tenements or Hereditaments, out of charge; ſhall be deemed, or taken to be a putting in charge, ſtanding *in ſuper*, or warning the rents or profits to the King, or his

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Predeceſſors, unleſs thereupon ſuch Lands, Tenements, or Hereditaments have been upon any information or ſuit (on the behalf of the King or his Predeceſſors) upon any lawful verdict given, or demurrer in Law, adjudged, and upon a hearing ordered, or decreed to the King, or his Predeceſſors, within the ſaid time of 60 years.

XV. This Act ſhall not extend to lands, for which compoſition is, or ſhall be made, before the end of this Parliament.

XVI. **Stat. 21 *Jac.* 16.** All Writs of *Formedon* in *Deſcender*, *Remainder*, or *Reverter*, for any title or cauſe now *in eſſe*, ſhall be ſued within 20 years next after this preſent Seſſions of Parliament, and for any title or cauſe hereafter accruing within 20 years after ſuch title or cauſe ſo accruing: Otherwiſe, ſuch title ſhall be for ever after barred, and the party claiming, utterly excluded from entry.

XVII. None now having any right or title of entry into any Manors, Lands, Tenements or Hereditaments, now held from him or them, ſhall thereinto enter, but within 20 years next after the end of this Seſſions of Parliament, or within 20 years next after any other title accrued: And none ſhall at any time hereafter make any entry into Lands, Tenements or Hereditaments, but within 20 years next after his or their right or title, which ſhall hereafter firſt deſcend or accrue to the ſame.

XVIII. The Titles of any Infant, Feme covert, *non compos mentis*, one impriſoned, or beyond ſea, are ſaved, ſo as they commence their ſuit within ten years after ſuch imperfections removed.

XIX. All Actions upon the Caſe (other then for ſlander) actions for accompt (other then ſuch as concern Merchandize) Actions of Treſpaſs, Debt, Detinue, Trover and Replevin, ſhall be commenced within three years after this preſent Seſſions of Parliament, or within ſix years after the cauſe of ſuch actions or ſuits, and not after.

XX. All actions of treſpaſs, of Aſſault, Battery, Wounding, and impriſonment, ſhall be commenced within one year after this Seſſion, or within four years after the cauſe of ſuit, and not after.

XXI. All actions upon the Caſe for words, ſhall be commenced within one year after this preſent Seſſion, or within two years after the words ſpoken, and not after.

XXII. Provided, that if in any ſuch actions judgment be given for the Plaintiff, and the ſame be reverſed by Error, or a Verdict paſs for him, and upon motion in arreſt of judgment, it is given againſt him, or if the Defendant be outlawed in the ſuit, and after reverſe the outlawry: in theſe caſes the Plaintiff, his Heirs, Executors or Adminiſtrators,

Administrators, may commence a new Action within a year after such judgment reversed, or given against the Plaintiff, or outlawry so reversed, and not after.

XXIII. The right of Action in the cases aboveſaid is ſaved to an infant, Feme covert, *non compos mentis*, a perſon impriſoned or beyond Sea, ſo as they commence their ſuit within the times above limited reſpectively, after their imperfections removed.

Linn.

I. **Stat.** 26 *H.* 8. 9. An Act for the repairing of the Town of *Linn*: *See the Statute at large.*

☞ *Linnen-Cloth.*

*I. **Stat.** 28 *H.* 8. 4. No perſon whatſoever ſhall put to ſale any piece of Doulas, or Lockeram, unleſs the juſt length be expreſſed thereupon, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the ſeiſor.

*II. **Stat.** 1 *El.* 12. None ſhall uſe any means whereby Linnen Cloth ſhall be deceitful, or made worſe for uſe, in pain to forfeit the ſame, to ſuffer a moneths impriſonment, and to be fined by the Juſtices before whom he ſhall be condemned.

III. Juſtices of *Oyer* and *Terminer*, and of Aſſize, and Juſtices of Peace, or any three of them (1 *Quo.*) have power to hear and determine theſe offences.

☞ IV. The Informer that ſhall at the next Seſſions of the Peace after the ſeiſure, to be kept in the County where ſuch ſeiſure is made, or before two Juſtices (1 *Q.*) make due information of the offence and ſeiſure, or procure the Offender to be there indicted, and be bound by recognizances before the ſaid Juſtices to purſue the ſame matter with effect, and give evidence, as of right appertaineth, and pay the one moiety of what he recovers to the Sheriff, or other accomptant for the Queens uſe, ſhall have the other moiety for his pains.

V. The Juſtices before whom theſe offences are tried ſhall by ſtreat certifie the forfeiture into the Exchequer.

See more title Manufacture, *num.* III.

Livery and Ouſter le main.

I. **Stat.** *De eſcheatoribus* 29 *E.* 1. Where, by Inqueſts taken before the Eſcheator, upon the Kings writ returned, it is found, that nothing is holden of the King, the Eſcheator ſhall be immediately commanded by the Kings writ, out of the Chancery, to put from his hands the Lands ſo taken into the Kings hands, and if the Eſcheator have received any profit thereof, he ſhall reſtore it: Howbeit, if the Kings title may afterwards be made appear by remembrances in the Chancery, Exchequer, or elſewhere, the Lands ſhall be reſeiſed, and the mean profits anſwered to the King, and in ſuch

caſe *Scire facias* ſhall iſſue out againſt the party to ſhew cauſe why they ſhould not be reſeiſed. *Vide Artic. ſuper Cart.* 28 E. 1. *cap.* 19. *To the like effect as to the* Ouſter le main, *and rendring the mean profits, when there is no cauſe of ſeiſor.*

II. **Stat.** 28 *E.* 4. Where the Kings tenant after he hath had livery, hath been charged with rents, and other payments become due after ſuch livery for part of the time *pro rata*; hereafter the Eſcheator ſhall be charged with the caſual and continual profits which happen before the livery (*pro rata*) according to the time, and the tenant ſhall receive certain payments of rent, &c. which happen after the livery, without any abatement thereof (*pro rata*) for the time.

☞ *Liveries of Companies and Retainers.*

I. **Stat.** 1 *R.* 2. 7. None ſhall give liveries for maintenance of quarrels or other conſpiracies, in pain of impriſonment and grievous forfeiture to the King: And the Juſtices of Aſſize ſhall diligently inquire of ſuch as gather together in Fraternities for ſuch purpoſes, and ſhall puniſh them according to their demerits.

London.

I. **Stat.** *de Gavelet*, 10 *E.* 2. The Lords of Rents in *London* may recover them by a writ of *Gavelet*, in their Huſtings, and in default thereof, the Lands in demeſn.

II. **Stat.** 28 *E.* 3. 10. The Mayors, Sheriffs and Aldermen of *London* ſhall cauſe errors, defaults and miſpriſions there to be redreſſed, in pain to forfeit for the firſt default 1000 marks, for the ſecond 2000 marks, and for the third to have the franchiſe and liberty of the City ſeiſed: And their defaults herein ſhall be enquired of by Inqueſts of *Kent*, *Eſſex*, *Suſſex*, *Hertford*, *Buckingham* and *Berks*, as well at the Kings ſuit, as of others that will complain.

III. The Mayor, Sheriffs and Aldermen being indicted, ſhall be cauſed by due proceſs to come before the Kings Juſtices aſſigned thereunto out of the City, and there ſhall be made to anſwer as well to the King as to the party grieved, and their tryal ſhall be by forein Inqueſts, as aforeſaid; whereupon if they be attainted, the ſaid pain ſhall be levied upon them, and the Plaintiffs alſo ſhall recover treble damages.

IV. In the proſecution of ſuch ſuits, the Conſtable of the Tower or his Lieutenant ſhall execute all proceſſes in the City, which proceſs ſhall be by attatchment, diſtreſs and *exigent*; and in the Kings caſe, the *exigent* ſhall be awarded after the firſt *Capias* returned, but after the return of third *Capias*, at the ſuit of the party.

V. If they have lands out of the City, proceſs ſhall iſſue againſt them

them in the County where ſuch lands lie, by attachment and diſtreſs.

VI. Every of them that appear, ſhall anſwer particularly for himſelf, as well at the peril of him that is abſent, as of himſelf.

VII. This Ordinance ſhall extend to all other Cities and Boroughs throughout the Realm: Howbeit the Inqueſts in ſuch caſes ſhall be taken by foreign people of the Counties wherein ſuch Cities and Boroughs are ſcituate: and the pains to be ſet upon them ſhall be adjudged by the Juſtices thereto aſſigned.

VIII. **Stat.** 1 *H.* 4. 15. The penalties of 1000 and 2000 marks (impoſed by the Statute of 28 *E.* 3.) ſhall not be limited to a certainty, but the penalties ſhall from henceforth be left to the diſcretion of the Juſtices thereunto aſſigned, in like manner as it is for other Cities and Boroughs.

IX. **Stat.** 35 *H.* 8. 10. An Act for repairing, making and mending the Conduits in *London*.

Lords.

I. **Stat.** 31 *H.* 8. 10. A direction how Lords and other great Officers are to be placed in Parliament: *See the Statute at large.*

Madder.

I. **Stat.** 14. *Car.* 2. *ca.* 30. IMportation of Madder allowed, and the plantation thereof in *England* encouraged; and the puniſhment of ſuch as ſhall mix it with ſand or corrupt it.

II. The ſaid Act repealed *per Stat.* 15 *Ca.* 2. *Ca.* 18. *Stat.* 3. *in fine.*

☞ *Mainprize and Bail.*

I. **Marlb.** 52 *H.* 3. 27. Albeit a Clark being upon an offence againſt the Crown (after arreſt) let to bail or replevied by the Kings command, will not or cannot (by reaſon of his Clarks Office) make anſwer before the Juſtices yet ſhall not thoſe who let him to bail, or his ſureties be amerced, ſo as he appears before the Juſtices.

II. **Weſt.** 1. 15. 3 *E.* 1. Foraſmuch as before this time it hath not been determined what perſons are repleviable, and what not, ſave onely ſuch as be taken for the death of a man, or by the command of the King or his Juſtices, or for the Foreſt; it is now provided that perſons outlawed, and ſuch as have abjured the Realm, Provors, and ſuch as be taken with the manner, Priſon-breakers, Thieves, openly defamed and known, Appellees by provors (during the life of ſuch provors) houſe-burners, counterfeiters of the Kings Seal or Coyn, Excommunicate perſons, manifeſt Offenders and Traitors, are not repleviable by common Writ or without Writ.

III. Perſons guilty of Larceny by Inqueſts, taken before Sheriffs or Bailiffs, or of petty Larceny, not before detected or acceſſary to any Felony, or elſe guilty of ſome light ſuſpition, are bailable by good ſureties, for which the Sheriff ſhall be anſwerable.

IV. If any Sheriff or other, having the cuſtody of a priſon, ſet any at large by ſurety who is not repleviable, and be thereof attainted, he ſhall loſe his fee and office for ever; and if any under Officer doth it, he ſhall ſuffer three moneths impriſonment, and make fine at the Kings will.

V. If any withhold priſoners repleviable, after they have tendred ſufficient ſurety, he ſhall be grievouſly amerced; and if he take any reward for the deliverance of ſuch, he ſhall pay double to the priſoner, and be alſo grievouſly amerced.

VI. Stat. 3 H. 7. 3. Two Juſtices (1 Qu.) have power to let to bail perſons bailable by Law, until the next Quarter-Seſſions or Goal-delivery, and ſhall there certifie the ſame, in pain of 10 l.

VII. The Sheriff and all others having the cuſtody of Gaols, ſhall certifie the names of all priſoners in their cuſtody to the Juſtices of Gaol-delivery, at their General Gaol-delivery, in pain to forfeit for every ſuch default 5 l.

VIII. The Statute of 1 R. 3. 3. which gave power to one Juſtice of Peace to bail priſoners is repealed.

IX. Stat. 1, 2. P. M. 13. None ſhall be let to bail, which are forbidden to be bailed by 3 E. 1. 15.

X. None arreſted for Man-ſlaughter or felony (or ſuſpition thereof being bailable by Law) ſhall be let to bail, ſave onely in open Seſſions, or by two Juſtices (1 Qu.) being both preſent at the time of ſuch bailment, which ſhall be certified (together with the examination of the priſoner, and the information of the accuſers) under their own hands, at the next Gaol-delivery, and ſuch examination and information ſhall be taken before the bailment.

XI. The ſaid Juſtices have power to bind by Recognizance all ſuch as can declare any thing material againſt the priſoner, to appear at the Gool-delivery, and ſhall there make certificate of the ſaid Recognizance.

XII. The Juſtices that offend any branch of this Act are liable to be fined by the Juſtices of Gaol-delivery.

XIII. This Act ſhall not reſtrain Juſtices within *London* and *Middleſex* to let to bail priſoners, as heretofore they have uſed, onely they ſhall certifie their examinations, bonds and bailments at the next Gaol-delivery of their Juriſdiction, in pain to be fined as aforeſaid.

XIV. Every *H. beas Corpus* or *Certiorari* for the removing of a priſon er

priſoner ſhall be ſigned by the chief Juſtice, or one of the Juſtice of the Court out of which the writ iſſues, in pain of 5 *l.* to be forfeited by the writer.

XV. **Stat.** 2, 3 *P. M.* 10. One accuſed of Manſlaughter or Felony, who, for want of bail, is to be ſent to the Gaol, muſt be examined by the Juſtice, before he ſends him thither, and the accuſers muſt be bound over to give in evidence againſt him, whoſe information muſt alſo be taken and committed to writing within two days after at fartheſt, and all certified in at the next Gaol-delivery, as by the Statute of 1, 2 *P. M.* 13. is limited, upon the penalty therein expreſſed.

Maintenance.

* 1 **Weſt.** 1. 28. 3 *E.* 1. No Clerk of the King or of any Juſtice ſhall receive the preſentment of any Church for which there is debate in the Kings Court, without the Kings ſpecial licence, in pain to loſe the Church and his ſervice: And that no Clerk of any Juſtice or Sheriff take part in any ſuits, or uſe frand, whereby common right may be delayed, in pain to be puniſhed, as aforeſaid, and more grievouſly, if the treſpaſs require it.

II. **Stat.** 1 *E.* 3. *Parl.* 2. 14. None ſhall maintain quarrels and parties in the Country, to the let and diſturbance of the Common Law.

III. **Stat.** 20 *E.* 3. 4. None ſhall maintain any quarrels ſave their own, in pain to have their body, lands and goods to be at the Kings pleaſure.

IV. **Stat.** 1 *R.* 2. 4. No great Officer of the King ſhall maintain quarrels in the County, in pain of a fine, to be impoſed by the King and his Council, and no other perſon; in pain of impriſonment and to be fined at the Kings will, and if he be the Kings Officer, or houſhold ſervant, he ſhall alſo loſe his Office.

V. **Stat.** 7 *R.* 2. 15. The Statutes of 1 *E.* 3. *Parl.* 2. 14 4 *E.* 3. 11. (*which ſee in* Niſi prius) 1 *R.* 2. 4. and 1 *R.* 2. 9. (*which ſee in* Feoffments) made againſt Maintenance and Champerty: ſhall be duly put in execution.

* VI. **Stat.** 32 *H.* 8. 9. All Statutes which concern Maintenance, Champerty, and Embracery ſhall be duly put in execution.

VII. None ſhall buy any pretended right or title to any land, unleſs the Seller hath taken the profits thereof one whole year next, before ſuch bargain, in pain that both the buyer and ſeller ſhall each of them forfeit the value of the ſame land, to be divided betwixt the King and the Proſecutor.

VIII. None ſhall unlawfully maintain any Suit or Action, retain any perſon for maintenance, imbrace Jurors, or ſuborn witneſſes

to the hindrance of juſtice, or the procurement of perjury, in pain to forfeit for every ſuch offence 10 *l.* to be divided betwixt the King and the Proſecutor.

IX. Howbeit purchaſing of a pretended title by him that is already lawfully poſſeſſed of the thing whereunto title is made, is lawful.

X. Proclamations ſhall be made at the Aſſizes of the Statutes made againſt Maintenance, Champerty, Embracery and unlawful retainers.

XI. The offenders againſt this Act ſhall be proſecuted within one year.

☞ *Malt.*

I. Stat. 17 *R.* 2. 4. Malt made in the Counties of *Huntingdon*, *Cambridge*, *Northampton* and *Bedford*, and brought to *London* for the proviſion of the Court and City, ſhall be well cleanſed from duſt and other filth: and Mayors, Bailiffs and Wardens of Towns and places, where it is ſold, have power to make ſearch and to ſee ſuch defaults redreſſed.

* II. Stat. 2 *E.* 6. 10. None ſhall imploy leſs time in the making and drying of Malt, except in the moneths of *June*, *July* and *Auguſt* then three weeks; and in thoſe moneths leſs then 17 days; nor put to ſale any Malt mingled of good and bad, in pain to forfeit for every quarter ſo put to ſale 2 *s.* to be divided betwixt the King and the Proſecutor.

III. None ſhall put any Malt to ſale before (by treading, rubbing and fanning it) he ſhall have conveniently taken out of every quarter half a peck of duſt or more, in pain to forfeit 20 *d.* for every quarter otherwiſe ſold, to be divided betwixt the King and the Proſecutor.

IV. Juſtices of Peace in Seſſions and Stewards in Leets have power to hear and determine theſe offences, as well by preſentment of twelve men, as by information of two witneſſes.

V. Bailiffs and Conſtables of Towns and places, where faulty Malt is made or mingled, as aforeſaid, have power to make ſearch for it, and being found (with the advice of a Juſtice of Peace) to make ſale thereof at their diſcretions.

VI. None ſhall be puniſhed by this Act, who onely maketh Malt for his own proviſion, nor unleſs the Action be proſecuted within one year.

☞ VII. Stat. 39 *El.* 16. Juſtices of Peace in Seſſions have power at their diſcretions to reſtrain the ſuperfluous number of Maltſters and alſo of the buyers of Barley to be converted into Malt.

VIII. If any perſon ſhall be convicted by the teſtimony of two Witneſſes or his own confeſſion, to have diſobeyed the reſtraint aforeſaid,

foreſaid, they ſhall ſuffer three days impriſonment without bail, and ſhall there remain until they ſhall (before ſome Juſtice of Peace) become bound by recognizance in 40 l. to obey the ſaid reſtraint.

IX. Juſtices of Peace in the County ſhall not execute this Law within Corporations; but onely the Juſtices and chief Officers of the ſame Corporations.

X. Such as have Barly of their own growing, tith-corn, or rent-corn, may convert it into Malt, notwithſtanding this Statute.

XI. Malſters ſhall not meddle with the execution of this Act.

XII. **Stat.** 3 *Jac.* 11. When Malt is at 16 s. the quarter, Beer may be tranſported to the Kings Allies in Cask: And the impoſt ſhall be 8 s. and the Cuſtom 18 d. for a ſubject; but for a Stranger 10 s. and 22 d. half peny.

XIII. This Act ſhall not infringe the Statute of 35 *El.* 11 1 *Jac.* 25. or any other Statute made for the bringing in of Clapboard, Cask, or Scaffold board.

Manufactures.

*I. **Stat.** 14 *Car.* 2. *cap.* 13. An Act prohibiting importation of Foreign Bone-lace, Cutting Imbroidery, Fringe, Bandſtrings, Buttons and Needle-work.

II. Juſtices of the peace may cauſe ſearch to be made for any of the ſaid Wares imported contrary to this Act. *See the Act at large.*

III. **Stat.** 15 *Car.* 2. *cap.* 15. *Stat.* 3. Any perſon Native or Alien may freely ſet up or uſe the trade of breaking, or dreſſing of Hemp, Flax, making of Threed, Twine, or Nets for Fiſhery, or of Storing of Cordage, and the trade of making any ſort of Tapiſtery.

IV. All Foreigners *bona fide* uſing the ſaid trades in *England*, *Wales* or *Barwick*, by three years and taking the oathes of *Allegiance* and *Supremacy* before two Juſtices of the Peace next dwelling (who are impowered hereby to adminiſter the ſame) ſhall enjoy all priviledges as natural born ſubjects.

V. All Foreigners which ſhall exerciſe any the ſaid trades by vertue of this Act, ſhall not pay any other taxes or impoſitions then as natural born ſubjects, unleſs they uſe Merchandiſe into foreign parts, in which caſe they ſhall pay ſuch cuſtoms as Aliens for five years next enſuing and no longer.

Merchants, Merchandiza

I. **Magna Chart.** 30 9 *H.* 3. Merchant-ſtrangers ſhall have ſafe conduct of coming into, going out of, and remaining in *England*, to buy and ſell without being exacted upon by exceſſive tolls, except in time of war, if they be of our enemies Countrey: And albeit they be ſo, yet ſo long as our Merchants be uſed well there, they ſhall have the like uſage here.

II. Stat. 9. E.3.1. Merchant-ſtrangers may freely buy and ſell within the Realm, without diſturbance, except they be alien enemies.

III. If any diſturbance or abuſe be offered them or any other Merchant in a Corporation, and the Head-Officer there do not (upon requeſt) provide remedy, the Franchiſe ſhall be ſeiſed into the Kings hand, and the diſturber (being thereof attainted) ſhall anſwer double damages to the party grieved, ſuffer one years impriſonment, and be ranſoned at the Kings will.

IV. If the diſturbance be out of a Franchiſe, and the Lord there or his Bailiff, Conſtable or Chief Ruler do not (upon requeſt) provide remedy, he ſhall (being attainted thereof) render double damages to the party grieved, and the diſturber (being alſo thereof attainted) ſhall alſo ſuffer one whole years impriſonment, and be ranſomed at the Kings will.

V. Howbeit Merchants-aliens ſhall carry no wines out of this Realm.

V. This Law ſhall be ſtrictly obſerved throughout the Realm, notwithſtanding any Charter, Franchiſe or Cuſtom to the contrary, ſaving to the King his due Cuſtoms.

VII. The Chancellor, Treaſurer, Juſtices aſſigned by commiſſion to hold pleas, and others by ſpecial commiſſion from the King, ſhall have power to hear and determine theſe miſdemeanors.

VIII. Stat. 14 E. 3 Stat. 2. 2. All Merchants (except enemies) may ſafely come into *England* with their goods and Merchandize, tarry and return, paying the cuſtoms and ſubſidies.

IX. Franchiſes and free cuſtoms reaſonably granted to Cities, Towns and Burroughs are ſaved.

X. Stat. 25 E.3. Stat. 4. 2. The Statute of 9 E. 3. 1. is confirmed, and all Statutes, Charters, Letters Patents, Proclamations, Commandments, Uſages, Allowances and Judgements to the contrary are repealed and made void.

XI. All Merchants may freely ſell their commodities without challenge or impeachment of any Officer or other, notwithſtanding any franchiſe, grant, or cuſtom to the contrary.

XII. The King may aſſign Juſtices to enquire of ſuch as offend this Law, and to inflict puniſhment upon them according to the ſaid Statute of 9 E. 3.

XIII. Any that will ſue againſt any ſuch offender may have a writ out of the Chancery for that purpoſe.

XIV. Stat. Staple. 27 E. 3 Stat. 2. 2. A ſafe conduct is granted to Merchant-ſtrangers (except alien enemies) to come and dwell in this Realm, and to return when they pleaſe, as alſo to ſell their commodities without having them taken from them againſt their will upon any colour whatſoever.

XV. If

XV. If any Officer or other offend againſt this Law, he ſhall be arreſted by the Head-Officer of the place, if it be out of the Staple, and if within the Staple, then by the Mayor and Miniſters of the Staple, and ſhall be ſpeedily proceeded againſt according to the Staple Law, and not at the Common Law, and being attainted thereof, ſhall anſwer double damages to the party grieved and as much to the King.

XVI. All Commiſſions made or to be made to take ſuch prices of Merchants ſhall be void.

XVII. **Stat.** 27 E. 3. *Stat.* 2. 3. All Merchants may buy Merchandize of the Staple, ſo as they bring them to the Staple.

XVIII. It ſhall be felony for an Engliſh, Welſh or Iriſh man to tranſport Wool, Leather, Woolfels or Lead.

XIX. No Engliſh, Welſh or Iriſh man ſhall tranſport Wool, Leather, Woolfels or Lead in a ſtrangers name, or keep a ſervant beyond Sea to ſurvey the ſale thereof, or to receive money there for the ſame.

XX. There ſhall be no Exchange of wares for Merchandize of the Staple, but payment in gold, ſilver or Engliſh, Welſh or Iriſh Merchandize; neither ſhall any Merchants make any confederacy in fraud or deceit of this Ordinance; and all this upon the pains aforeſaid.

XXI. Every man may carry his own Wooll, Leather, Woolfels and Lead to the Staple to ſell them there; howbeit he ſhall then warrant the packing of his wools.

XXII. **Stat.** 27 E. 3. Stat. 2. 11. All Merchants may freely ſell their merchandize at the Staple by groſs or by retail without challenge or impeachment; but it ſhall be felony to foreſtal, buy, or give earneſt for any merchandize before they come to the Staple or Port, or to enter the Ship for that purpoſe.

XXIII. **Stat.** 27 E. 3. *Stat.* 2. 13. If a Merchant loſe his goods at Sea by Piracy or Tempeſt (not being wreck) and they afterwards come to land, if he can make proof that they are his goods, they ſhall be reſtored to him in places guildable, by the Kings Officers and ſix men of the County, and in other places, by the Lords there or their Officers, and ſix men of the Countrey.

XXIV. **Stat.** 27 E. 3. *Stat.* 2. 17. No Merchant ſhall be impleaded for anothers treſpaſs and debt, whereof he is not debtor, pledge, nor mainpernor: Howbeit, if any of this Realm indamaged by forein Lords or their ſubjects have not right done them, Letters of Mart ſhall be granted to repair them.

XXV. If any difference ariſe betwixt the King and any other forein Lord, who hath Merchants here his ſubjects, thoſe Merchants ſhall have (by Proclamation) forty days given them to depart, and

if

if (for ſome juſt cauſe) they cannot go ſo ſoon, they ſhall have longer time given them, until they may conveniently depart, and ſhall in the mean time ſell their Merchandize, if they can.

XXVI. Stat. 27 *E.* 3. *Stat.* 2. 26. Merchant-Strangers upon letters of credence, or their oath, ſhall be believed concerning the content of their merchandize, and ſhall pay 3 d. *per libr.* according to the content ſo teſtified, and their goods ſhall be thereupon immediately delivered unto them without unſealing or opening them according to the Charter granted them by *E.* 1. and confirmed by this King, and all this in pain that the Officer herein offending ſhall ſuffer impriſonment, pay quadruple damages to the party grieved, and as much to the King: And here the remedy ſhall be in Chancery.

XXVII. Stat. 38 *E.* 1. 2. Any Merchant may uſe more merchandize then one, notwithſtanding the Statute of 37 *E.* 3. 5. and may buy, ſell and tranſport all kind of Merchandize, paying the cuſtoms and Subſidies due for the ſame, wool and woolfels onely excepted.

XXVIII. Stat. 2 *R.* 2. 1. Merchant-ſtrangers (not enemies) may buy and ſell all things vendible within the Realm in groſs or by retail, except wines and great wares, as cloth of gold and ſilver, ſilk, ſandal, napery, cloth, canvas, and the like, which are to be ſold in groſs by whole pieces, in pain of forfeiture thereof.

XXIX. Here the priviledges of Prelates and Lords for purveyances, and the things provided for by the Statute of the *Staple* of *Calais* are ſaved.

XXX. Merchants may buy and ſell in Fairs and Markes in groſs or by retail, notwithſtanding this Statute.

XXXI. Diſturbers of Merchants againſt this Act (being thereof attainted) ſhall render double damage,, ſuffer a yeers impriſonment, and to be ranſomed at the Kings will.

XXXII. If right be not done to the party grieved in a Franchiſe, it ſhall be ſeiſed into the Kings hands; if out of a Franchiſe, the Lord or his Officer ſhall render to the party grieved double damages.

XXXIII. The Chancellor, Treaſurer, Juſtices aſſigned to hold pleas, and Juſtices aſſigned by ſpecial Commiſſion ſhall hear and determine theſe offences.

XXXIV. Stat. 5 *R.* 2. *Stat.* 2. 1. Merchant-ſtrangers may come into this Realm, continue here, and depart at their pleaſure, without diſturbance or impeachment of any, and ſhall be friendly entertained and intreated of all.

XXXV. Stat. 11 *R.* 2. 7. The Statutes of 9 *E.* 3. 1. and 25 *E.* 3. *Stat.* 4. 2. are confirmed, notwithſtanding any Charter, Proclamation, Cuſtom, &c. to the contrary.

XXXVI.

XXXVI. Stat. 14 *R.* 1.9. Merchant-Strangers ſhall be courteouſly intreated, to the end they may be thereby the rather encouraged to come into this Kingdom.

XXXVII. Stat. 16 *R.* 2.1. No Merchant-Stranger ſhall buy or ſell within the Realm with another Merchant-Stranger to ſell again; nor ſhall ſell any merchandize by retail but victuals: onely wine he ſhall ſell by whole veſſels.

XXXVIII. The Statutes of 9 *E.* 3.1. 25 *E.* 3. *Stat.* 4. 2. & 11 *R.* 2.7. are confirmed.

XXXIX. Stat. 20 *R.* 2.4. The Statute of 28 *E.* 3.1. (*which ſee in* Staple) is confirmed, notwithſtanding any Ordinance or Uſage to the contrary.

XL. Stat. 4 *H.* 4. 15. Merchants ſhall not export the money which they receive for merchandize imported, but ſhall beſtow it upon merchandize of this Realm, their reaſonable coſts excepted.

XLI. Stat. 5 *H.* 4.7. Merchant-Strangers ſhall be uſed in this Realm, as Merchant-Denizens be in other Countreys, in pain that ſuch Merchant-Strangers ſhall forfeit their goods, and ſuffer impriſonment.

XLII. Stat. 5 *H.* 4.9. Merchant-Strangers ſhall give ſecurity to the Kings Cuſtomers and Controllers to employ their money upon the Commodities of this Realm, their reaſonable coſts excepted.

XLIII. The Statute of 4 *H.* 4.15. is confirmed.

XLIV. Merchant-Strangers ſhall ſell their Commodities within a quarter of a year next after their arrival, and imploy the money received by exchange upon Commodities of this Realm, in pain to forfeit the ſame money.

XLV. No Merchant-Stranger ſhall ſell any merchandize to another Merchant-ſtranger, in pain to forfeit the ſame.

XLVI. The Head-Officer or Officers of the Port where a Merchant-Stranger ſhall arrive, ſhall aſſign him an Hoſt, with whom he ſhall reſide, and the Hoſt ſhall take for his pains as hath been accuſtomed.

XLVII. Stat. 6 *H.* 4. 4. The clauſe of the Statute of 5 *H.* 4 9. enjoyning Merchant-Strangers to ſell their Commodities within a quarter of a year next after their arrival, is repealed, ſaving the liberties of *London*.

XLVIII. Merchant-Strangers ſhall not export any merchandize imported by the Merchant-Strangers.

XLIX. Stat. 7 *H.* 4.9. All Merchandize may be ſold in groſs in *London*, as well to all the Kings people, and to the Citizens of

London

London, notwithſtanding any franchiſe or Liberty to the contrary.

L. **Stat.** 4 *H.* 5. 5. The Statutes of 5 *H.* 4 7. & 5 *H.* 4. 9. touching the uſing of Merchants ſtrangers, are confirmed.

LI. **Stat.** 8 *H.* 6. 24. No Merchant alien ſhall conſtrain any of the Kings ſubjects to pay him his debt in gold, nor refuſe to receive payment thereof in ſilver, in pain to forfeit the double value thereof.

LII. No Engliſh man ſhall ſell his goods to a Merchant alien but for preſent payment in money, or for other Merchandize to be preſently delivered, in pain to forfeit the ſame.

LIII. **Stat.** 3 *E.* 4. 5. Certain wares and Merchandize, which it is not lawful to bring into this Realm ready wrought, being things made by handy-craft-men. *See the Statute at large.*

LIV. Such wares taken upon the Sea, or coming aſhore by wreck, and ſuch as are wrought in *Ireland* or *Wales* are excepted.

LV. Chief Officers of Cities, Towns, *&c.* ſhall have authority to make ſearch for wares of that kind, which are defective. But here S. *Martins le grand* is excepted: *Howbeit this ſtatute was to ſtand in force but during the Kings will, and therefore* quære *whether it be now in force.*

LVI. **Stat.** 17 E. 4. 1, *Pars inde.* Every Merchant Alien or other ſtranger ſhall imploy the money by them received here, upon the merchandize of this Realm, or elſe (without fraud) put the ſame money in due payment, within this Realm, to be proved by the Merchant unto whom it is ſo imployed, or otherwiſe before the Cuſtomer, Controller, or head Officer or Officers of the place, where it is ſo imployed, in pain to forfeit all his goods found within this Realm, and to ſuffer a years impriſonment; onely his reaſonable coſts are to be deducted.

LVII. The forfeiture to be divided betwixt the King and the Proſecutor.

LVIII. **Stat.** 1 *R.* 3. 9. *Italian* Merchants, ſhall ſell their Merchandize at the Port where they land, in groſs, and not by retail, in pain to forfeit the value thereof.

LIX. They ſhall alſo ſell their commodities brought thither within 8 moneths after their arrival, and ſhall wirhin that time imploy the money received for the ſame upon Engliſh commodities (their reaſonable expences deducted) and not make over that money by exchange: And if within that time they cannot make off their wares, they ſhall within two moneths after the eight moneths (or as ſoon as they can) convey them out of the Realm, in pain to forfeit the money ſo made over by exchange, and merchandize ſold

after

after the eight moneths, and not conveyed away as aforeſaid, of the value thereof.

LX. They may tranſport their Merchandize from one Port to another, ſo as they ſell them within the ſaid eight moneths.

LXI. No Merchant-ſtranger ſhall be Hoſt to another Merchant-ſtranger, unleſs they be of the ſame Nation, in pain of 40 l.

LXII. No ſuch *Italian*-merchant ſhall buy and ſell any wool or woollen cloth, within this Realm, neither ſhall they make any woollen cloth, or deliver wool to that end, in pain to forfeit the value thereof.

LXIII. **Stat.** 1 *R.* 3. 12. No Merchant-ſtranger ſhall impore into this Realm to be ſold any Girdles, Harneſs wrought for Girdles, Points, Leather-laces, Purſes, Pouches, Pins, Gloves, Knives, Hangers, Taylors-ſheers, Siſors, Andirons, Cobbards, Tongs, Fireforks, Gridirons, Stock-locks, Keys, Hinges, and Garnets, Spurs, painted-Glaſſes, painted-paper, painted-Forcets, painted-Images, painted-Clothes, beaten Gold or Silver wrought in papers for Painters, Saddles, Saddle-trees, Horſe-harneſs, Boots, Bits, Stirrups, Buckles, Chains, Lattin-nails with Iron-ſhanks, Turnets, hanging Candleſticks, holy-water Pots, Chafing-diſhes, hanging-Lavers, Curtain-rings, Cards for wool, Roan-cards (except Claſps for Garments) Sheers, Buckles for ſhooes, Spits, Bells, Hawks-bells, Tin and Leaden Spoons, Wire of Latin and Iron, Iron-Candleſticks, Grates, Horns for Lanthorns, or any of the ſaid wares ready made and wrought, in pain to forfeit the ſame or the value thereof, to be divided betwixt the King and the Proſecutor.

LXIV. **Stat.** 3 *H.* 7. 8. The Statute of 17 E. 4. 1. is confirmed and made perpetual.

LXV. Merchants of *Ireland*, *Jerſey* and *Gernſey* are made liable to the ſame law upon the like pains.

LXVI. Cuſtomers and Controllers ſhall take ſecurity of Merchant-ſtrangers to obſerve the ſaid law.

LXVII. **Stat.** 12 *H.* 7. 6. Every Engliſhman, being the Kings true liegeman, may freely trade at the Marts in *Flanders*, *Holland*, *Zealand*, *Brabant*, and other of the Archduke of *Burgoins* Countreys without any exaction, fines, or other contribution whatſoever to be levied of him by the fellowſhip of Merchants in *London*, or by any other for their uſe, or of any other ſuch fraternity, ten marks onely excepted, and none ſhall in ſuch caſe take or levy upon any perſon any ſuch exaction, more then the ſaid ten marks, in pain to forfeit 20 l. to the King, and ten times ſo much as they ſhall take more then the ten marks aforeſaid to be recovered by Action of debt, &c.

LXVIII. Stat. 1 El. 13. None ſhall lade or unlade into or out of any Ship or other Veſſel, any goods, wares or merchandize whatſoever, Fiſh taken by *Engliſh*-men onely excepted, and unleſs it be upon a leak or wreck, to be imported or exported, but onely in the day time, *viz.* from the firſt of *March* until the laſt of *September*, betwixt Sun-riſing and Sun-ſet, and from the laſt of *September*, to the firſt of *March* between the hours of ſeven and four, and that in ſuch places as the Queen ſhall (by Commiſſion) before the firſt of *September* next aſſign for that purpoſe, in pain to forfeit the goods, wares or merchandize otherwiſe laden or unladen, or the value thereof.

LXIX. The places ſo to be aſſigned ſhall be at *London*, *Southampton*, *Briſtol*, *weſtchester*, *Newcaſtle*, and in all other places (*Hull* onely excepted) where there is a Cuſtomer, Controller and Searcher.

LXX. The Owner, Maſter, or other having the charge of any ſhip or other veſſel, which doth offend againſt this Law, ſhall forfeit 5 l.

LXXI. The Maſter or other having charge of the Veſſel, ſhall acquaint the Cuſtomer or other Officer with the times of his lading and departure, as alſo what perſons are to have lading with him, and ſhall anſwer ſuch queſtions concerning his loading as ſhall be demanded him by ſuch Officer, upon oath, or otherwiſe; and all this in pain of an 100 l. the like ſhall be obſerved when he imports any merchandize, *vice verſa*, and upon the like pain.

LXXII. None ſhall enter any goods in the Cuſtomers books but in the right owners name, in pain to forfeit the value thereof.

LXXIII. If any Officer of the Cuſtom-houſe conceal any offence committed againſt this Act, and diſcloſe it not within a moneth unto the chief Officer there, or unto the Lord Treaſurer, Chancellor, under-Treaſurer, or one of the Barons of the Exchequer, or unto the Attorney-General he ſhall forfeit 100 l.

LXXIV. Cuſtomers, Controllers and Searchers have power to make Deputies in Ports, Creeks and Roads, and both they and their Deputies ſhall duly and faithfully execute their Offices, in pain of a 100 l. and to loſe their places.

LXXV. Such cuſtom ſhall be paid for ſweet Wines, as hath formerly been paid for Malmſeys.

LXXVI. This Act ſhall not infringe the liberties granted to the Iſle of *Angleſey*, and the Counties of *Flint* and *Carnarvon*, ſo as they pay the due Cuſtoms and Subſidies, and lade and diſcharge within the times and hours above mentioned.

LXXVII. Stat. 43 *El.* 12. The Lord Chancellor or Keeper ſhall award a ſtanding Commiſſion (to be renewed yearly, or as often as to him ſhall ſeem meet) for the hearing and determining of all ſuch cauſes ariſing, and policies of aſſurances, as ſhall be entred in the office of Aſſurance in *London*.

LXXVIII. This Commiſſion ſhall be directed to the Judge of the Admirality, the Recorder of *London*, two Doctors of the Civil Law, two common Lawyers, and eight grave and diſcreet Merchants, or to any five of them, which Commiſſioners, or the greater part of them ſhall have power to hear and examine, order and decree all ſuch cauſes in a brief and ſummary courſe, as to their diſcretion ſhall ſeem meet without formality of pleadings or proceedings.

LXXIX. The Commiſſioners have alſo power to ſummon the parties, examine witneſſes upon oath, and commit to priſon ſuch as contemn or diſobey their orders or decrees: they ſhall meet and ſit once a week at leaſt in the office of Aſſurance, or ſome other convenient publick place, for the execution of the ſaid Commiſſion: And no fees at ſhall be there exacted by any perſon whatſoever.

LXXX. If any be grieved by their ſentence or decree, he may exhibit his bill in Chancery for the re-examination thereof, ſo as he firſt ſatisfie the ſentence ſo awarded, or depoſit with the Commiſſioners the ſum awarded, and then (albeit he be impriſoned) he may be enlarged; and here the Lord Chancellor (or Keeper) hath power to reverſe or affirm every ſuch ſentence or decree, and in caſe it be affirmed, to award the party aſſured double coſts.

LXXXI. No Commiſſioner ſhall meddle in the execution of this Commiſſion in any cauſe, wherein himſelf is party *Aſſurer* or *Aſſured*, not until he hath taken his corporal oath before the Mayor and Court of Aldermen, to proceed uprightly and indifferently between party and party, onely the Judge of the Admiralty and Recorder are excuſed from ſuch oath.

LXXXII. Stat. 3 *Jac.* 6. All the Kings ſubjects ſhall have free trade into and from *Spain*, *Portugal* and *France*, notwithſtanding the late grant of an Incorporation to prohibit the ſame, or any other Act or thing whatſoever to the contrary.

LXXXIII. Provided that this Act ſhall not give liberty for any perſon to go beyond Sea, who by Law is reſtrained from going without licence.

LXXXIV. Stat. 3 *Jac.* 9. No Merchant or other ſhall dreſs or cauſe to be dreſſed in his houſe, or by any workman (being no Skinner) appointed by him for that purpoſe, any black Cony-skins

of

of this Realm, nor transport any such or pack them to be transported, before they be tawed, and duly wrought by such as are Artizan Skinners, or Tawers under them, in pain to forfeit them or the value thereof.

LXXXV. No Merchant shall buy or contract for any Coney-kins or Lamb-skins under the the number of 1000 black Cony-skins 3000 grey Cony-skins, and 2000 Lamb-skins at one and the same time, to be so bought, and delivered intirely together and not by parcels, except they be bought of the Artizan-skinners: neither shall the Merchant sell them again in less parcels then as aforesaid (unless to the said Artizan-skinners) in pain to forfeit the same, or the value thereof.

LXXXVI. None shall retain any Servant, Journey-man or Apprentice to work in the trade of a Skinner, unless he himself hath served seven years as an Apprentice in the same trade, in pain to forfeit the double value of his ware so wrought.

LXXXVII. The forfeitures aforesaid are to be divided betwixt the King and seisor or prosecutor.

LXXXVIII. **Stat.** 4 *Jac.* 9. The general Statute of 3 *Jac.* 6. neither doth or shall dissolve or impeach the Charter of Incorporation granted by Queen *El.* to certain Merchants of *Exeter* and their Successors.

LXXXIX. **Stat.** 14 *Car.* 2. *ca.* 23. Upon some defects in the Statute of 43 *Eliz. ca.* 12. recited. It is enacted, That the Lord Chancellor or Keeper of the Great-Seal, shall yearly issue out one standing Commission, authorizing Commissioners or any 3 of them, whereof a Doctor of the Civil-law, or a Barrister at Common-law of 5 years standing to be always one, to make a Court of Policies of Assurance, and an Act as any five before might have done.

XC. The said Commissioners or any three of them, impowered to summon parties and witnesses, and upon Contempts or delay in the witnesses upon first summons and tender of reasonable charges: and in the parties upon second summons, to imprison offenders, or give costs: every Commissioner having taken the oath before the Lord Mayor of *London* to proceed uprightly in execution of the said Commission.

XCI. Commissions may issue out of the Court of Admiralty for examining witnesses beyond Sea, or in remote place, by direction of the said Commissioners or any three of them: And decrees may be made against the body and goods, and against the Executors, &c. and execution accordingly, and assess costs of suit as to them shall seem just.

XCII.

XCII. Any of the Commissioners may administer an oath to any witness legally summoned; so as the adverse party have timely notice, to the end witnesses be truly examined.

XCIII. Provided, Execution in no case be against body and goods for the same debt.

XCIV. Provided, An Appeal may be to the Chancery, as in the said former Act.

Marshalsey.

I. *Artic. super Cart.* 3. 28. E. 1. The Stewards and Marshals of the King's house shall not hold plea of freehold, debt, covenant, or contract, but only trespass done in the house or Verge, or of contracts and covenants when both parties are of the house: and the plea of trespass shall be determined before the King's departure from the Verge, where the trespass was committed, and therefore the plea thereof shall be speedy, *de die in diem*, and if the plea cannot be determined in time, the Plaintiff shall (in such case) have recourse to the common Law.

II. The Steward shall from henceforth take no conusance of debt or other things, but of the people of the same house, nor shall hold plea by obligation made at the distress of the said Stewards or Marshals: And if any thing be done contrary to this act, it shall be holden void.

III. In case of death within the Verge where the Coroner is to make view, the Coroner of the County together with the King's Coronor shall do his office, and inroll it: and what cannot be determined by the Steward before the Kings departure, shall be remitted to the Common Law; so that Exigent, Outlawries, and Attachments shall be made thereupon in Eyre by the Coroner of the County, as in case of other Felonies done out of the Verge: Howbeit they shall not omit by reason hereof to make attachments speedily upon the felonies done.

IV. Stat. 5. *E.* 3. 2. *Parviade.* and 10. *E.* 3. *Stat.* 2. 2. Inquests before the Steward and Marshal of the Kings house shall be taken by men of the Countrey thereabouts, and not by men of the Kings house, except it be contracts, covenants, or trespasses, when both parties are of the same house, and in the house.

V. Stat. 9. *R.* 2. 5. Priests and others of the Holy Church, taken in the Marshalsey, shall pay such fees as Lay-people pay and no more.

VI Stat. 13. *R.* 2. *Stat.* 1. 3. The jurisdiction of the Steward and Marshal of the Kings house shall extend no further then 12

miles from the Kings lodging.

VII. Stat. 4. *H.* 2. 23. The fees of the Marſhall of the Kings houſe ſhall be as in times paſt, and no more, viz. for him that commeth in by *Capias*, 4 *d.* and if he be bailed, 2 *d.* more; of the defendant in treſpaſs that findeth bail to anſwer the ſuit 2 *d.* for every commitment by judgment, 4 *d.* for every one delivered of Felony, and of a Felon bailed by the Court, 4 *d.* and if the Marſhall or his Officers take more, they ſhall loſe their offices, and pay treble damages to the party grieved, and that the party grieved have his ſuit before the Steward of the ſame Court.

VIII. Here a ſerves of Bills ſhall take no more then 1 *d.* for every mile diſtant from the Court to the place where he doth his office; but when he ſerves a *venire facias* or a *diſtringas*, he ſhall have the double. If ſuch an Officer takes more, he ſhall be impriſoned, and a Fine to the King at the diſcretion of the Steward, and be from thenceforth for-judged the Court.

IX. Stat. 15. H. 6. 1. In a ſuit commenced before the Steward and Marſhal of the Kings houſe, the defendant ſhall not be eſtopped to plead, that the Plaintiff or he are not of the Kings houſe; but his averment thereof ſhall be received, notwithſtanding any record of the ſame Court to be produced to the contrary.

Marſhes. Fens. &c.

I. Stat. 4. *Jac.* 8. An Act for winning from Inundation the drowned grounds and Marſhes of *Leſnes* and *Fants* in *Kent*, by the 10. of *October*, 1609. *See the Statute.*

II. Stat. 4 *Jac.* 13. Another for draining the Fens and low grounds in the Iſle of *Ely*, containing about 6000. Acres, compaſſed about with banks called the Ring of *Waldeſey* and *Coldham*. *See alſo the Statute.*

III. Stat. 7. *Jac.* 20. A mean to recover a great quantity of ground, lately ſurrounded in *Norfolk* and *Suffolk* by the Sea, and to prevent the like for the future: *See the Statute.*

IV. Stat. 15. *Ca.* 2. *cap.* 17. An Act for ſetling the draining the great level of the Fens, called, Bedford Level. *See the Act at large.*

V. Stat. 16. & 17. *Car.* 2. *cap.* 11. An Act for draining of the Fen called, Deeping Fen, and other Fens therein mentioned. *See the Act at large.*

I. Stat.

Maſons.

I. Stat. 3. H. 6. It ſhall be felony to plot confederacies amongſt Maſons; and ſuch as aſſemble upon ſuch confederacies ſhall ſuffer Impriſonment, and make fine and ranſome at the Kings will.

Matrimony and Marriage.

I. Stat. 32. H. 8. 38. *Pars inde.* All Marriages ſhall be adjudged lawful, that are not prohibited by Gods Law.

II. Stat. 2 & 3. E. 6. 21. All Laws, Cannons, Conſtitutions, and Ordinances which prohibit marriage to ſpiritual perſons who by Gods Law may marry, and all pain and forfeitures therein contained ſhall be void.

III. Provided, that this Act ſhall not give liberty to marry without asking in the Church, and other Ceremonies appointed by the Book of Common Prayer.

IV. Degrees, and divorces heretofore made are ſaved.

V. Stat. 5. E. 6. 12. The Marriage of Prieſts and other ſpiritual perſons ſhall be lawful, and their Children legitimate and inheritable, likewiſe they to be tenants by the Curteſy, and their Wives dowable.

VI. Stat. 1. *Jac.* 11. A *Bigamus* ſhall ſuffer death as a felon, unleſs he or they have had no notice, that the husband and wife was living within ſeven years before, or the marriage be ſevered by divorce.

VII. This felony ſhall cauſe no corruption of blood, or loſs of dower or inheritance.

VIII. Stat. 12. *Car.* 2. *ca.* 33. All Marriages had and ſolemnized in any of the Kings Dominions ſince the 1. of *May*, 1642. before any Juſtice of Peace of *England*, or other his Dominions, and ſo pronounced and declared, or had and ſolemnized, according to Act, or Ordinance of Parliament, or any Convention having that ſtyle: ſhall be adjudged good and valid in Law, as if the ſame had been ſolemnized according to the Rites and ceremonies of the Church of *England*.

Meſne.

I. Stat. Weſtm. 2. 9. 13. E. 1. The Tenant diſtrained by the Chief Lord, may have a writ of *Meſne* in the County where he is diſtrained, againſt the *Meſne*, who having land in that County, and not appearing, till the grand diſtreſs, day ſhall be given in the grand diſtreſs, ſo as two Counties may be holden before the return, wherein the Sheriff ſhall proclaim, that he come to anſwer the

tenant at the day, at which day, if he come not, he useth his service, and then the tenant shall answer to the Chief Lord such services as he ought to have done to the Mesne.

II. The Chief Lord shall not distrein the tenant, so long as he offers him the services due; and if the Lord exact more then the Mesne ought to do, the tenant may have such remedy, as the mesne might have had.

III. Upon a return, that the Mesne hath nothing to be summoned by, an attachment shall go out, and upon a *Nihil* returned, the Grand distress with Proclamation as before.

IV. The mesne having no land in that County, but in another, upon such a return by the Sheriff, the party shall have a Writ judicial to summon the mesne in that County, where it is testified, that he hath Lands, and both there and in the other County shall proceed to the Grand distress, Proclamation, and Judgment, as before.

V. The Mesne comming into the Court, and acknowledging, or being adjudged to acquit the Tenant, and not doing it, the tenant shall thereupon have a Judicial writ of acquital: whereupon if the Mesne come in, and the Tenant can aver that a mesne hath acquitted him, he shall be satisfied his damages, be quit of the Mesne and hold of the chief Lord: And here also, if the mesne come not at the first distress, then another distress shall go out, Proclamation shall be made, and Judgment had as before.

VI. This Statute extendeth only, where there is but one mesne between the Lord that distraineth, and the tenant, the Mesne also being of full age, and the Tenant, Tenant in fee-Simple.

Militia: see Captains and souldiers.

Numb. XXXIX.

Ministers.

I. 13 Eliz. Cap. 12. An Act for confirming some, and restoring other Ministers to their Benefices.

Monasteries, Abbeys, Priories, Colledges, Free-Chappels, Hospitals, Chanteries, their Governours, and possessions, and also all other Religious persons.

1. 27 Hen. 8. 28. H. 3. If wrongs or trespasses be done to Abbots or other Prelates of the Church, and they dye before Judg-

ment

meant given thereof, whether or no the suit be commenced in their life time, yet their successors shall have actions to demand the goods of their Church out of the hands of such trespassors.

II. The successors shall also have a writ to recover seisin of their lands intruded into in time of vacation, and therein damages shall be awarded them as in Assizes of *Novel disseisin* is used.

III. Westm. 1. 1. 3. E. 1. The Peace of the Church and Realm shall be duly kept; and Religious houses shall not entertain any at the charge of the house, save onely the founders, &c. neither shall any charge them, in pain of imprisonment to make fine and to be otherwise punished at the Kings will.

IV. No purveyance shall be made of a prelate, without his consent.

V. The Sheriff shall not ride with above 5 or 6 horse, nor indamage Religious persons by lodging too often at their houses or mannors.

VI. Artic. Cleri. 11. 9. E. 2. Religious houses shall not be charged by compulsion with Corodies, Pensions, reset, or taking of their horses or carts, upon the pains ordained by the Statute of *Westm.* 2.

VII. Stat. 1. E. 3. *Stat.* 2. 10. There shall be no more grants of Pensions, Prebends, Churches, or Corodies at the Kings request by Bishops, Abbots, Priors, Abbesses, or Priories.

VIII. Stat. 27. H. 8. 28. All Monasteries, Priories, and other Religious Houses of Monks, Cannons and Nunns, which have not above the clear yearly value of 200*l.* per annum, are given to the King and his heirs, to have and hold the same in as large and ample manner as they injoyed them: And all grants thereof made or to be made by the King to others are confirmed: The right of others having any profit out of the same being saved.

IX. Fraudulent Conveyances made by Governours of such houses within one year next before the making of this Act shall be void; Howbeit all Leases upon the accustomed rents, and grants of accustomed Offices, Fees, or Corodies are saved.

X. All Ornaments, Jewels, Goods, and debts, which they had the first of *March* 1535, or at any time since, are also given to the King.

XI. The King shall have the actual and real possession of the said houses without inquisition of office, so that he may lawfully grant them at his will and pleasure.

XII. Cels which are only obediencers to the Abbies and Priories dissolved by this Act shall still remain undissolved notwithstanding this Act: The right also of Founders, Patrons and Donors is saved,

XIII. Stat. 27 H. 8. 27. Part inde. Upon the grant of Abbey Lands in fee, a tenure in capite shall be reserved to the King, and also a yearly payment of the tenth part of the yearly value, mentioned in the Letters Patents.

XIV. Stat. 31 H. 8. 13. The King and his heirs shall have all the Monasteries, Abbies, Priories, Nunneries, Colledges, Hospitals, houses of Friers, and other religious houses and places, together with their estates, which since the 4. of *Feb.* 27 H. 8. have been dissolved, suppressed, renounced, relinquished, forfeited, given up, or by any other means are come into the Kings hands, in as large and ample manner, as the Governors thereof held them, in right of the said houses.

XV. All religious houses dissolved and to be dissolved together with the revenues to them belonging shall be in the actual possession of the King.

XVI. These Abbey lands (except such of them as shall come to the King by attainder of Treason) shall be within the survey of the Court of Augmentations.

XVII. Here, the right of all others is saved, save onely for rent-service, Rent-seck, and all other services and suits, which are excepted out of the said saving.

XVIII. Provided that all Leases of any such Religious or Ecclesiastical house, or of any hereditaments thereunto belonging, granted within one year next before the dissolution thereof, which hath not heretofore been usually demised, or whereof there was a former Lease in being or whereupon such ancient yearly rent is not reserved, as hath been usually paid for the same twenty years next before the beginning of this Parliament, and also wood-sales made within one year, as aforesaid, shall be void.

XIX. Also all Feoffments, Fines and recoveries of such Lands, (whereof the King was Founder) made, acknowledged or suffered by the Governours or Governesses thereof, without the King's Licence within one year next before such dissolution, shall be void.

XX. The like provision is made for making void Leases and Wood-sales of Lands belonging to such Religious or Ecclesiastical houses, as are hereafter to be dissolved: Also all Feoffments, fines, and Recoveries of such lands (where the King is Founder) made, acknowledged or suffered by the Governours or Governesses thereof shall likewise be void.

XXI. Leases for years not exceeding 21, made a year before the Parliament, or the dissolution of such house, and whereupon the accustomed rent is reserved, and where a former terme therein is not expired at the making of such Lease, shall be good, notwithstanding this

this Act: ſo alſo is a leaſe for life or lives granted a year before diſſolution to the old tenant, or the former leaſe for life or years being not expired, and the accuſtomed rent being reſerved.

XXII. Grants, alſo for life by Copy of Court-Roll, according to the cuſtom, where the old rent reſerved ſhall be good.

XXIII. Leaſes inrolled, decreed, or affirmed in the Court of Augmentations (albeit they be made within the year,) ſhall be good.

XXIV. Where any hath paid money for wood, and by this Act is abridged from having his bargain, he ſhall be relieved therein by the Chancellor and other Officers of the ſaid Court, or any three of them, whereof the Chancellor is to be one, and if any other hath taken the Wood, he ſhall make ſatisfaction for the ſame to the party grieved.

XXV. Grants to other perſons by ſuch Religious perſons with the Kings conſent and licence under the great Seal, ſhall be good: howbeit here, the right of others is ſaved.

XXVI. A confirmation of the kings exchanges and purchaſes ſince the fourth of *February* 27 *H.* 8. Howbeit, here alſo the right of all perſons but the exchangees and bargainees is ſaved, rents-ſervice, rents-ſeck, and other ſervices excepted.

XXVII. The Kings Letters Patents of Lands, or other hereditaments granted ſince the fourth of *February*, 27 *H.* 8. and within three years after the making of this Act. ſhall be ſufficient, notwithſtanding miſ-recital, non-recital, miſ-noſmer, cauſe, conſideration, or thing material to the contrary: Here alſo the right of all others (ſave of the King, and the Governors, and Governeſſes) ſaved.

XXVIII. Such Lands, Parſonages appropriate, *&c.* belonging to the ſaid Religious houſes, as before their coming into the Kings hands, or diſſolution, were diſcharged of Tithes, ſhall ſo continue.

XXIX. All rents, ſervices, and other duties ſaved to the King, notwithſtanding this Act.

XXX. Such Monaſteries, *&c.* As were heretofore exempt from the jurisdiction of the Ordinary, ſhall from henceforth be within the juriſdiction and viſitation of the ordinary, in whoſe Dioceſs, they ſhall be ſcituate.

XXXI. The grant of the Abbey of *Shipton* in *Suffolk* is confirmed to the Duke of *Norfolk*, and the Colledge or Chantery of *Cobham* in *Kent* to the Lord *Cobham*, notwithſtanding this Act: The right of others being ſaved.

XXXII. *Stat.* 37 *H.* 8. 4. All Colledges, Free-Chappels, chan-

teries, Hospitals, Fraternities, Brother-hoods, Guilds, and other promotions made to have continuance for ever, and chargeable with first-fruits and tenthes and also all the Mansion-houses, mannors, lands, tenements, hereditaments, rights, members and appurtenances unto them belonging; which between the fourth of *February* 27 *H.* 8. and the 25 of *Decemb.* the 37 of *H.* 8. were dissolved, relinquished or otherwise extinct other then such of them as now are or were in the Kings possession, and have been granted by the Kings Licence, or recovered by a former right or title shall be adjudged in the actual possession of the King, and of his heirs and successors, in as large manner, as the Governours, Incumbents, Patrons, Donors, or Founders of them, or any of them have since the said fourth of *February*, 27 *H.* 8. injoyed the same, or do now injoy them.

XXXIII. All Covenants, Bonds, and Grants of any Rent or Annuity made to any Chantery Priest, or other, having any of the said promotions, in consideration of any bargain, grant, or other assurance of the said promotions, or any part thereof shall be void.

XXXIV. Every person, being in life, which for any sum of money hath sold any of the said promotions, shall reply (upon request) unto the Bargainee, his Executors or Assigns, the money so received: And for non-payment thereof, the said Bargainee shall maintain an action of debt against them, that so sold the same unto the said Bargainee or his testator, in which action no essoine &c. shall be allowed.

XXXV. All gifts, grants, surrenders, and other assurances made to the King of any of the said promotions between the said fourth of *February*, and the 25 of *Decemb.* shall be good against the bargainors, their successors and assignes, and also against their Founders, Donors, and Patrons, heirs and successors.

XXXVI. All Letters Patents made by the King of any of the said promotions or any part thereof, and all assurances thereof made with the Kings assent by any having such promotions shall be good; against the grantors, their heirs and successors, and against their Founders, Donors, and Patrons, their heirs and successors.

XXXVII. The King during his life may direct Commissions by warrant to be signed by his own hand to such persons as he shall think fit, giving them power to enter into so many of the said promotions, chargeable with first-fruits and tenths, as shall be expressed in such several Commissions, and to seize and take the same into the Kings possession, to have and hold the same to him, his heirs and successors.

XXXVIII. The

XXXVIII. The Commiſſioners (or any two of them may enter into any part in the name of the whole, and by ſuch their Entrey and ſeiſure, albeit the Lands be in ſeverall mens occupation, or lie in ſeveral Counties, the King ſhall be adjudged in the actual poſſeſſion thereof, without any inquiſition, office, or other entry.

XXXIX. The Commiſſioners, or any two of them, after ſuch ſeiſure made, ſhall certifie and return every ſuch Commiſſion making mention in writing of their doing therein, according to the words and authority thereby given them.

XL. All ſuch Chanteries and other promotions aforeſaid (ſeiſed and to be ſeiſed, as aforeſaid) ſhall be within the order and ſurvey of the Court of Augmentations; and all ſuits tending to the detriment of the Mannors, Lands, and other hereditaments belonging to them, ſhall be alſo heard and determined in that Court, howbeit, ſuits between party and party concerning the ſaid Mannors, Lands, &c. ſhall be heard and determined by the Common-law, and Statutes of this Realm, and not in the ſame Court.

XLI. All Aſſurances made of any Inheritance or Free-hold without the Kings aſſent by any Chantery Prieſt, or other Governour having any of the ſaid promotions being not made to the King ſhall be void, as well againſt the King, as againſt the ſucceſſor of ſuch Chantery Prieſt, or other Governour.

XLII. The right of others is ſaved, other then the Governors and their Founders, Patrons, or Donors, their heirs, and ſucceſſors, and other then ſuch perſons, their heirs, ſucceſſors and aſſignes, as claim any freehold or inheritance by conveyance from any ſuch Governor without the Kings aſſent thereunto.

XLIII. If any ſuch Governour within one year before the 23 of *Novemb.* in the 27 *H.* 8. hath made, or ſhall hereafter make a leaſe for life or years, of any ſuch promotion, or any part thereof, which was not for the moſt part of twenty years before ſuch leaſe let to farm, but in their own occupation: Or within the ſaid time hath made, or ſhall hereafter make, any ſuch leaſe in reverſion, the old leaſe not being then expired: or within the ſaid time hath made, or ſhall hereafter make, any ſuch leaſe, without reſerving the accuſtomed yearly rent paid for the ſame twenty years next before the ſaid 23. of *November*. Or have made any Wood ſale, the wood being yet ſtanding, that then every ſuch leaſe and grant ſhall be void.

XLIV. This Act ſhall not extend to any Lands or other Hereditaments, whereof ſuch Governors now are, or hereafter ſhall be, ſeiſed or poſſeſſed to their own uſe, nor united nor annexed to their

promotions; nor to Lands or Penſions granted or to be granted by the King unto ſuch Governours (for life only) under the Great ſeal or the Seal of the Augmentations.

XLV. The Governors, from whom the King (by force of this Act) taketh any Lands &c. ſhall be proportionably abated for the ſame, in their Tenths and Firſt-fruits.

XLVI. Every perſon having any Annuity, or rent iſſuing out of any ſuch promotion, ſhall ſtill enjoy them notwithſtanding this act: Alſo he that hath bought and paid for any wood, ſhall have his money again, or the ſame wood.

XLVII. All payments for the firſt-fruits, hapning after ſuch ſeiſure, as aforeſaid, are diſcharged.

XLVIII. All Rents, Services, Iſſues, and Profits payable out of ſuch promotions into the Exchequer, ſhall be ſtill continued, notwithſtanding this Act:

XLIX. Stat. 1 *E.* 6. 14. All Colledges, Free Chappels, and Chanteries *in eſſe*, within five years before the firſt day of this Parliament which were not in the actual and real poſſeſſion of the late King, nor of *E.* 6. nor excepted in the ſaid Statute of 37 *H.* 8. 4. (other then ſuch as by the Kings Commiſſion ſhall be altered) and all Mannors, lands, Penſions, Hereditaments, and things belonging to them, and all Mannors, Lands, &c. given or limited for the finding of a Prieſt to have continuance for ever, and wherewith a Prieſt hath been maintained within the ſaid five years (which were not in the actual poſſeſſion of *H.* 8. or E. 6.) and all rents, profits and emoluments within the ſaid five years imployed towards or for the maintenance of a ſtipendiary Prieſt, intended by any Act or writing to have continuance for ever, ſhall be adjudged and be in the actual and real poſſeſſion of the King, his heirs and ſucceſſors, without any office or other inquiſition, in as large manner as ſuch Prieſt or other Governors, or Incumbents thereof at any time within the ſaid five years injoyed the ſame.

L. All Mannors, Lands, &c. appointed for the maintenance of ſuch Prieſts, to have continuance for a term of years not yet expired, are alſo given to the King during ſuch term onely, and no longer, and then it ſhall be lawful for the Reverſioner to enter without livery, *Ouſter le main*, petition, or other ſuit to be Made to the King for the ſame.

LI. The King ſhall alſo have all Lands, Tenements, rents, and other Hereditaments given for the maintenance of an Anniverſary or Obit, or other like intent, or of any light or lamp in any church or Chappel, to have continuance for ever, which hath been ſo maintained within five years above limited.

LII. Where

LII. Where an Anniverſary, Obit, Light, Lamp, or the like, is kept or maintained out of part of the iſſues of any lands, &c. the King ſhall have ſo much yearly rent iſſuing out of the ſame lands as ſuch charge did amount unto in any one year within the ſaid 5. years, to be paid yearly by even portions, at *Michaelmas* and *Lady*-day into the Court of Augmentations, or ſuch other Court as the King ſhall appoint; and upon non-payment thereof, it ſhall be lawful for the King his heirs and ſucceſſors, to diſtrain for the ſame And if there be no diſtreſs to be had; and the rent be unpaid by the ſpace of a moneth after it ſhould be paid; in ſuch caſe the King ſhall ſeize part of the Lands of like value to anſwer the rent, to have and hold them to him, his heirs and aſſigns, or for ſo long time, as he ſo was to have the iſſues out of the ſaid Lands.

LIII. The King, his heirs and ſucceſſors ſhall have all ſums of money, profits, commodities and emoluments, appointed to have continuance for ever, which in any one year within the ſaid years have been imployed by any Corporation, Guild, Fraternity, Company, or Fellowſhip of any Myſtery or Craft, or by any Governour or Governours towards the maintenance of any Prieſt, Anniverſary, Obit, Lamp, Light or the like, to be paid yearly as a rent charge at *Michaelmas* and *Lady*-day, by even portions in the ſaid Court of Augmentations, or in any other Court that the King ſhall appoint.

LIV. The King hath power to diſtrain the ſaid Corporations, Guilds, &c. for the ſaid money, which ſhall be in the actual poſſeſſion of the King, without any inquiſition or office.

LV. The King ſhall have to him his heirs and ſucceſſors, all Fraternities, Brotherhoods, and Guilds, and all their lands, &c. other then thoſe above mentioned and they ſhall be alſo in the actuall poſſeſſion of the King, without any inquiſition or office.

LVI. The King may direct Commiſſioners to ſuch perſons as he ſhall think fit, which Commiſſioners, or any two of them ſhall have power to ſurvey all lay-Corporations, Guilds, Fraternities, Companies, and Fellowſhips of Myſteries, or Crafts incorporate, and all other Fraternities, Brotherhoods and Guilds within the limits of their Commiſſion; and alſo all Evidences, Compoſitions, books of Accompts, and other writings, thereby the better to diſcover what money, or other things was paid for the finding of a Prieſt, Anniverſary, &c. And likewiſe to inquire, what Mannors, Lands, Tenements, Rents, and other hereditaments are given to the King by force of this Act.

LVII. The Commiſſioners, or any two of them, have power where

where Guilds, Fraternities, or Chantery Prieſts having been in *eſſe* in *Michaelmas* laſt to the firſt day of this Parliament, ought by their foundation to have kept a Grammar-School or Preacher to aſſign Lands to continue in ſucceſſion of a ſchool-maſter or Preacher for ever towards the keeping of a School and preaching, and for ſuch other good purpoſes, as to them ſhall ſeem meet: And likewiſe to make a Vicar to have perpetuity for ever in every Pariſh, being the firſt day of this Parliament a Colledge, Free chappel or Chantery, or united unto any of them: And alſo to indow ſuch Vicar ſufficiently without any licence or grant from the King, Biſhop, or other Officers of the Dioceſs.

LVIII. Theſe alſo have power (in great Towns, where more Prieſt are neceſſary) to aſſign ſuch lands for the maintenance of one or more Prieſts there, as they ſhall think fit: And alſo to give Rules for the ſervice, uſe and Demeanor of ſuch Prieſts and School-maſters, as aforeſaid, and to ſet down by what name or names they ſhall from thenceforth be called.

LIX. The Commiſſioners ſhall alſo aſſign ſuch yearly penſions to every Governor, Fellow, and ſervant of every ſuch Colledge, Free-Chappel, or Chantery to continue during their ſeveral lives as to them ſhall ſeem fit.

LX. The Commiſſioners ſhall inquire what money or other profit any poor perſon injoyed within 5 years before this Parliament, and to give order for the pay ment thereof, and to aſſign lands for that purpoſe, that it may have continuance for ever: And alſo to appoint lands to Fraternities, Brother-hoods, and Guilds for the Maintenance of Peirs, Jutties, Walls, and Banks.

LXI. The Receivers of the reſpective Counties, where ſuch Penſions are allowed by the Commiſſioners, ſhall readily pay them without fee, and ſhall be allowed his upon their accompt.

LXII. The Commiſſioners ſhall make oath, that they ſhall beneficially execute their Commiſſions towards the Deans, Maſters, Wardens, Provoſts, and other Incumbents aforeſaid, as alſo towards the poor, and the maintenance of Peirs, Jutties, &c. And all orders by them, or any two of them, certified into the Court for Augmentations, or other Court to be aſſigned by the King ſhall be as effectual, as if they had been ordained by the Parliament.

LXIII. Howbeit they ſhall not allow more to any Dean, Maſter, &c. then they injoyed before; and when he is promoted to better means, it ſhall ceaſe.

LXIV. The Commiſſioners, or two of them at leaſt, ſhall within one year after the Commiſſion to them directed, make certificate

certificate of ſuch aſſignments, as they have made, in pain of 100 pounds.

LXV. The King ſhall have all the goods of every Colledge, Chantery, Free-Chappel, Chantery or Stipendary Prieſt, belonging to the furniture or ſervices of their ſeveral foundations, and ſuperſtitiouſly abuſed: Howbeit their debts ſhall be paid by the King.

LXVI. This Act ſhall not extend to any Colledge or Hall in the Univerſities, the free-chappel at *Windſor*, the Colledges of *Winchester*, and *Eaton*, *Newton* Chappel in the Iſle of *Ely*, nor to any of the lands belonging to them, nor to any Chappel of eaſe, nor to any Chappel, whereunto only a Church-yard, a little houſe or Cloſe doth belong; Nor to any Cathedral, where there is a Biſhops See nor to their lands, other then ſuch Chanteries Obits, lights, and lamps, uſed within ſuch Cathedrals, within five years before this Parliament, And unto which this Act doth extend.

LXVII. The King may during his life alter the Names of ſuch Chanteries and their Foundations.

LXVIII. The right of all perſons (except only the Governors, Incumbents, &c. of ſuch Chanteries, &c. their Founders, and the heirs and ſucceſſors of every of them, alſo the grantees or of any the premiſes to the uſes aforeſaid, or to the uſe of any ſuch chantery, &c. or without the Kings liesence) is ſaved; likewiſe all ſervices, rents, annuities, profits, and offices, of right due to Founders, Donors, &c. and leaſes made before the beginning of this Parliament, whereupon the accuſtomed rent is reſerved, are ſaved.

LXIX. The Bargainor of any of the premiſes or his Executors ſhall repay unto the Bargainee, his Executors or Adminiſtrators the money received upon ſale thereof, within three moneths after requeſt thereof made, and upon non-payment thereof ſuch Bargainee ſhall recover it by action of debt, wherein no eſſoin, &c. ſhall be allowed.

LXX. The premiſes given to the ing by this Act together with their revenues ſhall be within the ſurvey of the Court of Augmentations, or ſuch other Court as the King ſhall appoint.

LXXI. All leaſes made by the ſaid Governers, Incumbent, &c. ſince the 23 of *November* 37. *H.* 8. whereupon the old rents are reſerved, ſhall be void; but all others ſhall continue in force.

LXXII. This Act ſhall not extend to any lands, whereof ſuch Governours, Incumbents, &c. are uſed or poſſeſſed to their owne uſes, and not annexed to ſuch Chanteries, Free-chappels, &c. not

to

to any Mannors, Lands, Penſions, &c. (not parcel of the premiſes granted by *H.* 8. or granted or to be granted by *E.* 6. to any of the ſaid Governors, Incumbents, &c.

LXXIII. Every perſon, which had any rent or yearly profit out of the lands of any Chantery, &c. ſhall ſtill enjoy them, notwithſtanding this Act.

LXXIV. All payments of Firſt fruits to be made by any ſuch Governor, Incumbent, &c. after the beginning of this Parliament, ſhall be remitted.

LXXV. Payments anſwered yearly into the Exchequer out of the premiſes ſhall be ſtill continued.

LXXVI. All Aſſurances made of the premiſes by *H.* 8. or *E.* 6. or by either of their licences or to either of them by any ſuch governor, incumbent, &c. ſhall be good: The right of others being ſaved.

LXXVII. This Act ſhall not extend to make good any Grant made by any parſon, or Vicar; nor to prejudice the Lord *Cobham*, or any Corporation, or the Chantery of *Attleborough* in *Norfolk*.

LXXVIII. All ſuch Chanteries, Free-chappels, &c. given to the King by this Act, as are within the Dutchy of *Lancaſter* (together with their lands, &c.) ſhall be within the ſurvey of the Dutchy-Court and all Commiſſions to be iſſued out concerning them ſhall be under the great Seal, but ſhall be certified into the ſaid Dutchy.

LXXIX. The King may impower Commiſſioners to alter the nature and condition of Obits to better uſes; and none ſhall take advantage of any remainder, uſe, or condition for not finding of a Prieſts Obits, Anniverſary, Light or Lamp.

LXXX. This Act ſhall not extend to give Copyhold-lands to the King, but the ſaid Incumbents ſhall have them during their lives towards their maintenance.

LXXXI. This Act ſhall not extend to lands recovered from a Chantery Prieſt by a good title without fraud.

LXXXII. All Letters Patents made by *H.* 8. and *E.* 6. of Chantery-lands, and other premiſes, are confirmed.

LXXXIII. Stat. 1, 2. *P. M.* 8. *Pars inde.* None ſhall moleſt any perſon for any Abbey-lands, in pain to incur a *Præmunire*. *Vide* 1 *El.* 1.

☞ Money.

1. The Statute, of great money, *incert. i temporis.* None upon grievous forfeiture ſhall expend, utter, or receive any money or any other Coyn then Scotch, Engliſh, or Iriſh, nor import more money into

into this Realm, then may serve him for his expences, nor land (unless forced by tempest) at any other then the known Ports, and there shall shew his money to such person as the King shall assign without concealment, in pain to forfeit his body and moneys.

II. None shall hide his money within Clothes, Fardels, Bales, or otherwise, in pain that the finder thereof shall have 4 *d.* for every pound so found, and the King the rest; and the body of him, in whose hands any false or clipt money shall be found, shall be arrested, untill he find surety, if he be a suspitious man: Also he that finds any other Coyn than English, Irish, or Scotch, shall break the same, and restore the pieces to the party that ows it, and none shall oppose him, in pain of great forfeiture: but false money shall be pierced without restoring it.

III. Because poor people cannot well discover light moneys, they shall receive and pay them by weight of 5. of even weight by the Tumbrel, to be delivered unto them by the Warden of the exchange and marked by the Kings mark, and it shall be lawful for any man to pierce money not weighing the Tumbrel: Howbeit, 4 *d.* shall be allowed in every pound weight (being then 20 *s.*) and so it be only worn 6 d.

* IV. **The Statute** of small money 20 E. 1. No Merchant or other shall import into this Realm any money clipt or counterfeited, or traffick therewith, in pain for the first time to forfeit the money; for the second the money and all his goods; for the third, his body and goods.

V. Others which have clipt money shall pierce it, and carry it to the Kings Exchange to be new coyned.

* VI. **Stat.** 9 E. 3. 1. None (without the Kings Licence) shall export any gold or silver in money or plate, in pain to forfeit the same.

* VII. Cap. 2. None shall import into any of the Kings Dominions any false or counterfeit money, in pain to forfeit the same: Howbeit, any person (stranger and other) may bring to the Kings exchange good mony or Bullion, and receive convenient exchanges for the same.

* VIII. Cap. 3. Small money (*viz.* half-pence or farthings) shall not be molten into vessel or any thing else, by any Goldsmith, in pain to forfeit the money so molten, and to suffer imprisonment until he hath paid the one half thereof.

IX. Cap. 4. Black money shall not be current in this Realm.

X. Cap. 5. The Prosecutor against the offendors of this Statute shall be allowed a fourth part of the forfeiture.

XI. Cap. 6. There shall be no defrauding of this Statute.

Cap. 9.

XII. Cap. 9. Search shall be made for money exported, and false money imported.

XIII. Cap. 10. The Searchers shall have the fourth part of the forfeiture.

XIV. Cap. 11. Hostlers (*viz. Inne-keepers, and Victualers*) shall be sworn to search their guests.

XV. Stat. 18 E. 3. Stat. 2, 6. Money shall be made, and exchanges ordained where the King shall please.

XVI. Stat. 25 E. 3. Stat. 5. 13. Money shall not be impaired by weight or allay.

XVII. Stat. 25 E. 3. Stat. 5. 20. Plate of Gold and Silver shall be received into the kings Mint by weight, and not by number, and so also shall the money be returned.

XVIII. Stat. 38 E. 3. Stat. 1. 2. None shall export Gold or Silver in money or Plate, but Victuallers of fish, who fish for herring or other fish, and such as import fish in small vessels, who meddle not with other Merchandize, but not otherwise then as the Chancellor shall think fit.

XIX. Stat. 5 R. 2. 2. None shall export Gold or Silver: But quære *whether this Statute be not repealed by* 4 Jac. 1.

XX. Stat. 17 R. 2. 1. The Statute of 9 E. 3 cap. 3. shall be duly executed, and none shall melt Groats or half Groats into vessel, upon the pain contained in that Statute.

XXI. Foreign coin shall not be current in *England*, but shall be brought to the bullion, there to be molten into the coin of *England* in pain of forfeiture thereof and imprisonment, neither shall there be any exchange of English money for Scotch money, upon the like pain.

XXII. Stat. 2 H. 4. 5. If the kings Searchers find any money or plate in the custody of any ready to pass beyond sea, or in any ship which is to go beyond Sea, it shall be forfeited to the King, save the parties reasonable expences, which he shall also lose, unless he presently confess the truth.

XXIII. Provided, that Merchant-strangers, that sell their merchandize in *England*, and do imploy half their money received for the same upon other merchandize of *England*, may by the King's licence export the other half thereof without prejudice.

XXIV. Stat. 4 H. 4 10. A third part of all silver money which shall be brought to the Bullion, shall be coined into half-pence and farthings, of each alike, and the Coiner shall make oath so to do.

XXV. No Goldsmith shall melt half-pence or farthings, in pain to forfeit four times so much as he so melts.

XXVI.

XXVI. Stat. 11. H. 4. 5. Gally half-pence shall not be current in *England*, and all Statutes formerly made concerning Money are confirmed.

XXVII. Stat. 13. H. 4. 6. The Statute of 11. H. 4. 5. and all others Statutes formerly made concerning Money, shall be duly put in execution.

XXVIII. Stat. 3. H. 5. Stat. 1. It shall be Felony to utter Scotch money in payments: *But this Statute is now obsolete and out of use.*

XXIX. Stat. 3. H. 5. 6. It shall be Treason to clip, wash, or file Money. *Howbeit this Statute is repealed by* 1 E. 6. 12. *and* 1. M. Sess. 1. *but the same again made Treason by* 5. El. 12. *which see in* Treason.

☞ XXX. Stat. 3 H. 5. 7. Justices of Assize and of Peace have power to hear and determine all offences concerning false Money.

XXXI. Stat. 9. H. 5. 11. No English Gold shall be received in payment, but by the Kings weight.

XXXII. Stat. 1 H. 6. 1. The Kings Council may assign Money to be Coined, and Exchanges to be holden in as many places as they please.

XXXIII. Stat. 2 H. 6. 6. No Gold or Silver shall be exported, in pain to forfeit the value thereof, save only for the ransome of prisoners, the reasonable costs of Souldiers passing beyond Sea, and money to be expended for certain Scotch commodities, so as they be done by the Kings licence.

XXXIV. Merchants-Aliens shall find sureties in the Chancery, every Company, for them of their Company, that none of them shall export any Gold or Silver, in pain to forfeit the same, or the value thereof, whereof the discoverer (unto the Treasurer or Kings Council) shall have a fourth part.

XXXV. Stat. 2 H. 6, 9. The Money called *Blanks* are wholly prohibited.

XXXVI. Stat. 2 H. 6. 12. The Mint-master shall keep his Allay in the making of white money, according to his Indenture, and shall receive Silver brought to the Mint at the true value it is worth according to the same Allay, in pain to pay to the party his reasonable damages.

XXXVII. The Kings Assayer (who ought to be a person indifferent betwixt the Mint-master and the Merchant) and the controller of the Mint shall be present, when any bullion is brought to the Mint, to the end the Assayer may set the true value thereof, in case any variance happen betwixt the Master and the Merchant.

XXXVIII. The Controllers office is every two dayes faithful-

ly to try all silver brought in or carried out of the Mint, and that without fee, (save what he receives of the King) in pain of double damages. And he ought to be a credible man, and expert in the Mystery of Goldsmiths, and of the Mint.

XXXIX. The Mint-Master and Exchanger shall convert into coin all Gold and Silver brought to the Mint or to the Exchange, according to the form of the said Indenture, upon the pain therein contained.

XL. Stat. 19. H. 7. 5. All coins of Gold and Silver current in this Realm shall so continue for the value they were so coined for, albeit some of them be cracked, so as they be not clip'd, or otherwise diminished, reasonable wearing excepted.

☞ XLI. If any refuse any lawful coin in payment, he shall be compelled by the Officer of the place to receive it, and also imprisoned or otherwise punished, as such Officer shall think fit: And if any Sheriff or other Officer refuse it, he shall be compelled to take it by a Justice of Peace, and is otherwise punishable at the discretion of such Justice.

XLII. It shall be lawful for the owner of money, clipped or otherwise impaired, to exchange it at the Mint, or to convert it into Plate or Bullion, or otherwise to dispose thereof for his best profit.

XLIII. To avoid clipping of silver coins hereafter, the King appointeth new ones to be made with a circle about the outermost part thereof, and for Gold coins, that they should have the intire Scripture stamped without lacking any part thereof: to the end that by the ring or Scripture, it may be discerned, when they were clipt, or any way diminished; and the Warden and Controller of the Mint are to see them thus ordered before they pass from the Mint, in pain to forfeit their Offices, and to be fined at the Kings will.

XLIV. None shall transport any money, Plate or Bullion, (above 6 *s.* 8 *d.*) into *Ireland*, nor convey any of them into any Ship or other vessel, in pain to forfeit them, and to be imprisoned and ransomed at the Kings will.

XLV. It shall be lawful for any to seize any Irish coin (above 3 *s.* 4 *d.*) brought into this Realm, and to deliver it in at the Mint, for which the Master shall presently pay him half the value thereof to his own use.

XLVI. Stat. 14, 15 H. 8. 12. The Coiners of every hundred pounds worth of gold brought to the Mint to be coined, shall make 20 *l.* thereof in half Angels (*then called pieces of* 4 *d.*) and of every hundred pounds worth of Silver, 50 *l.* in groats, 20 *l.* in two pence

20 *l.* in pence, 10 *Marks* in half-pence, and 5 *Marks* in farthings; in pain that the Mint-master shall forfeit 10 *l.* to be divided betwixt the King and the prosecutor.

XLVII. The half-pence and farthings shall have several stamps, to the end they may be the better distinguished by the common people.

XLVIII. When the value of the Plate or Bullion is under 100 *l.* the owner thereof shall receive a tenth part in half-pence and farthings.

XLIX. This Act shall not be prejudicial to the Coiners and Mint-masters in *York*, *Durham*, or *Canterbury*.

L. **Stat.** 14 *El.* 3. If any shall falsely forge or counterfeit any Coin of gold or silver, nor current in this Realm, he and his procurers, aiders and abetters (after conviction) shall be imprisoned, and forfeit thir lands and goods, as in case of misprison of treason.

Monopolies.

I. **Stat.** 21 *Jac.* 3. All Monopolies and all Commissions of or for the sole buying, selling, making, working, or using of any thing within the Kings Dominions, or of any other Monopolies, or of power, liberty, or faculty, to dispence with any others, or to give license or toleration to do, use or exercise any thing against the tenor of any Law or Statute, or to give or make any Warrant for such dispensation, license, or toleration, or to agree or compound for any penalty, or forfeiture limited by any Statute, or for any grant or promise of any benefit or profit of any such penalty, forfeiture, or sum of money, before Judgement thereupon had, and all Proclamations, Inhibitions, Restraints, Warrants of assistances, and other matters and things whatsoever, any way tending to the erecting, strengthening, or countenancing thereof, are contrary to the Laws of the Realm, and shall be void and of none effect.

II. All the matters and things aforesaid shall be examined, heard, tried, and determined by the Common Laws of the Realm, and not otherwise: And all persons are prohibited to use, exercise, or put them in ure.

III. The party grieved by pretext of any of the matters or things aforesaid, shall recover (in one of the Courts at *Westminster*) treble damages and double costs; in which suit, no essoin, or other delay shall be allowed, nor any more than one Imparlance: And if any person, after notice given, that such action depending is grounded upon this Statute, shall cause to be stayed or delayed before Judgement by any Order, Warrant, Power or Authority (save only

of the Court where it is depending) or ſhall, after Judgement had, cauſe or procure the execution thereof to be ſtaid or delayed by colour or means of any ſuch Order, Warrant, Power, or Authority, ſave only by Writ of Error or Attaint, he or they ſo offending ſhall incur a *Premunire*.

IV. Letters Patents of new Manufactures heretofore granted for 21. years, or under, to the Inventors thereof, where they are not contrary to Law, or any way prejudicial to the Common-Wealth are ſaved: ſo alſo are ſuch as have been heretofore granted for more then 21. years, good for 21. years from the date of their Patent, notwithſtanding this Statute.

V. Neither ſhall this Act extend to grants of new Manufactures hereafter to be made to the Inventors thereof 14 years or under, being not contrary to Law, or prejudicial to the Common-wealth; nor to grants heretofore confirmed by Act of Parliament, ſo long as ſuch acts continue in force: Nor to any Warrant of Privy Seal granted, or be granted to the Juſtices of the Kings Bench or Common-Pleas, to the Barons of the Exchequer, Juſtices of Aſſiſe, of *Oyer* and *Terminer*, Gaol-delivery or Peace, or other Juſtices, to compound for the forfeitures of any penal Statute, depending in ſuit before them, after plea pleaded by the party defendant.

VI. This Act ſhall not be prejudicial to *London*, or any other Corporation for any grant made them concerning their Cuſtoms; Nor any Corporation, Company, or Fellowſhip of any Art, Trade or Myſtery; nor to any Company or Society of Merchants.

VII. Neither ſhall it extend to any grant of Priviledge for Printing, digging, or making, or compounding of Salt-Peter, or Gunpowder, or caſting or making of Ordnance or ſhot for Ordnance; nor to any grant of any office now in being, other then ſuch as are decreed by the Kings Proclamation; Nor to the liberties of *New-Caſtle* concerning Sea-coals; Nor to licenſing of Taverns, ſo the King receive the benefit; Nor to the Patent granted to Sir *Robert Mansfield* for making of Glaſs; nor to that granted to *James Maxwel* Eſquire for tranſportation of Calves skins; Nor to that of *Abraham Baker* for making of Smalt; Nor to that of *Edward* Lord *Dudley* for melting of Iron Ewer, and making the ſame into Caſt-works.

Mortdanceſtor.

I. **Matlbridge** 16. 52 *H.* 3. If the Lord will not render unto the heir of his Land (when he comes to Age) without plea, the heir ſhall

ſhall recover his Land by Aſſiſe of *Mortdanceſtor*, together with all his damages.

II. If the heir, at his Anceſtors death be at full Age, and then ſeiſed of the Inheritance, the Lord ſhall not out him, nor meddle with any thing there, but ſhall only take ſimple ſeiſin thereof, that he may be known to be Lord: And if the Lord ſhall then put him out, whereby he is driven to his Writ of *Mortdanceſtor* or Coſinage, he ſhall recover his damages, as in a Writ of *Novel diſſeiſin*.

III. The King ſhall have *primer ſeiſin* of lands holden in chief, as in times paſt; neither ſhall the Heir or any other intrude into the Inheritance, before he have received out of the Kings hands, as formerly hath been uſed.

IV. This Statute is to be underſtood of lands accuſtomed to be in the Kings hands, by reaſon of Knights-ſervice, Serjeancy, or right of Patronage.

V. **The Statute of Glocester.** *6. 6 E.* 1. If one die having many Heirs, of whom one is Son or Daughter, Brother or Siſter, Nephew or Neece, and the other be a farther degree off, the Heir ſhall recover by a Writ of *Mortdanceſtor*.

Mortmain.

I. **Magna Charta,** 36. 9 H. 3. If any ſhall give lands to a religious Houſe, the grant ſhall be void, and the land forfeit to the Lord of the fee.

II. **The Statute of Glocester,** *alias de Religioſis, 7 E.* 1. If lands be any way alienated in *Mortmain*, to a Religious perſon or other, the King or other Lord immediate may enter within a year after ſuch alienation, and if ſuch Lord neglect it, the next Lord to him may enter within half a year after; and if all the mean Lords (being of full Age within the four Seas, and out of priſon) neglect to do it, after the year the King may enter.

III. **Weſt. 2. 31 E.** 1. Eccleſiaſtical perſons being debarred by the former Statutes to obtain lands in *Mortmain* by alienation, endeavoured fraudulently to obtain them by default in a ſuit: And therefore in ſuch caſe it was ordained by this Statute, that it ſhould be inquired by the Countrey, whether or no the demandant had a juſt title thereto, and if ſo, then he ſhould recover ſeiſin; but if otherwiſe, the Lord of the fee ſhould enter, as aforeſaid. And by this Statute, each mean Lord hath a full half year given him after the Lord next before him, untill it come to the

King: And here also the Lords, as also the King, are allowed their challenges.

IV. After the judgement given, the lands shall remain clear in the Kings hand, untill it be deraigned by the demandant, or some other chief Lord, and the Sheriff shall be charged to answer for it in the Exchequer.

V. **Ordinatio de perquirendis libertatibus**, 27 E. 1. To obtain licence to make a Park, or to amortize lands, the Writ *Ad quod damnum* shall issue out of the Chancery to inquire concerning the same.

VI. Here inquisitions of Lands, that shall be found (by extent) to be worth yearly more then 28. *s.* shall be returned into the Exchequer, and there the parties shall make fine for the Amortizements, and for the Park, if the Inquisition pass for them: And afterwards the Chancellor (or his Deputy) shall have order to do his duty therein.

VII. When the yearly value of the lands exceed not 20. *s.* the Inquisition shall be returned to the Chancellor, and he (or his Deputy) shall rate and take the fine, according to the quantity of the land.

VIII. The like shall be done by such as purchase lands holden of the King in chief.

IX. If persons dwelling beyond Sea, and having lands or rents in *England*, are desirous to purchase Letters of protection, or would make general Attorneys, they shall be first sent to the Eschequer to make their fines, and from thence to the Chancellor (or his Deputy) for that which he ought to do therein.

X. In like manner shall they do that will purchase any Fair, Market, Warren, or any other Liberty: all such as will purchase instalment of their debts, shall be sent into the Exchequer.

XI. Also such as are unable to travel, or dwell in remote parts from the Chancery, which plead or be impleaded, shall have a Writ out of the Chancery to some sufficient man, that shall receive their Attorneys, when need is.

XII. For the better remembrance of these things, there shall be a tripartite Indenture made; whereof one shall remain in the Chancery, another in the Exchequer, and the third in the Garderobe.

XIII. **The Statute of Amortizing Lands**, 34 E. 1. Lands shall not be aliened in Mortmain, where there be mean Lords without their consent declared under their Seals: Neither shall any thing pass where the donor reserveth nothing to himself, or when

when the Inquisition is made and returned without Warrant, *viz.* without the Writ original returned with the Inquisition; and unless the original make mention of every thing according to the new Ordinance devised by the King.

XIV. **The Statute of Ireland** for making Inquisition of Lands to be put to Mortmain, *Incerti temporis.* Writs *ad quod damnum* for amortizing lands, shall not be granted, but upon Petition in full Parliament.

XV. **Stat.** *de Clero*, 3. 18 *E.* 3. If Prelates, Clerks beneficed, or other people of Religion being impeached for purchasing lands in Mortmain, shew the Kings Charter of Licence, and Process thereupon made by an Inquest of *ad quod damnum*, or of the Kings Grace, or by Fine, they shall be in peace: And albeit they cannot sufficiently shew that they have entred by due Process after Licence to them granted in general or special, yet they shall be well received to make a convenient fine for the same.

XVI. **Stat.** 15 *R.* 2. 5. It is within the compass of the Statute of 7 *E.* 1. to convert any Land into a Church-yard, albeit it be done by the consent or connivence of the ter-tenant, and confirmed by the Popes Bull.

XVII. If any be seised of any lands or other possessions to the use of any spiritual person, with purpose to amortize them, and whereof such spiritual person takes the profits, they shall before the Feast of S. *Michael* next, cause them to be amortized by the Licence of the King and other Lords, or dispose of them to some other use; otherwise they shall be forfeit according to the form of the said Statute, as lands purchased by people of Religion: And no such purchase to the use of such spiritual persons shall be hereafter made upon the like pain.

XVIII. The same Law shall be of Lands or other possessions purchased to the use of Guilds and Fraternities: Also Lands purchased by Corporations, or to their use, shall be within the compass of the said Statute *de Religiosis.*

XIX. **Stat.** 23 *H.* 10. If any grant of Lands or other Hereditaments shall be made in trust, to the use of any Churches, Chapels, Church-wardens, Guilds, Fraternities, Commonalties, Companies or Brotherhoods, or have perpetual Obits, or a continual service of a Priest for ever, or for 60. or 80. years, or to such like uses or intents; All such uses, intents and purposes shall be void; they being no Corporations, but erected either of devotion, or else of common consent of the people.

XX. Such uses and intents may be made and declared to con-

tinue 20. years from the time of such limiting of them, but no longer.

XXI. Collateral assurances, made for the defending of this Statute, shall be void, and this shall be interpreted most beneficially for the destruction of such uses, as aforesaid.

XXII. This Act shall not prejudice Corporations, where there is a custome to devise lands in Mortmain.

XXIII. This Act shall not prejudice the Executors of *Jannis* and *Terry*, late Aldermen of *Norwich*.

Mortuaries.

I **Stat. 21 H. 8. 6.** No spiritual person, his Bayliff, or Lessee shall take or demand more for a Mortuary, then as is hereafter expressed, nor shall convent any person before any Ecclesiastical Judge for the recovery of more for the same, then as is hereafter declared, in pain to forfeit so much as he takes or demands more, and likewise 40. *s.* to the party grieved, to be recovered by action of debt, wherein no essoin, &c. shall be allowed.

II. None shall take or demand for a Mortuary any thing at all, where (by the Custome) they have not been usually paid, nor upon the death of a Woman Covert, a Child, a person not keeping house, a wayfaring man, one not residing in the place, where he happens to die, nor where the goods of the dead person (debts deducted) amount not to the value of 10. marks: Nor above the sum of 3. *s.* 4. *d.* when they exceed not 30. *l.* nor above 6. *s.* 8. *d* when they exceed 30 *l.* but not 40 *l.* nor above 10 *s.* when they amount to 48 *l.* or above. And if the person die in a place where he or she dwelleth not, their Mortuary shall be paid in the place where they had their most abode.

III. This Act shall not abridge spiritual persons to receive Legacies bequeathed unto them, or to the Kings Altar.

IV. No Mortuaries shall be paid in *Wales*, *Calais*, or *Berwick*, or in any of their Marches, save only in *Wales*, and the Marches thereof, where they have been accustomed to be paid, and such as are there paid, shall be regulated according to the Order prescribed by this Act.

V. The Bishops of *Bangor*, *Landaff*, S. *Davids*, and S. *Asaph*, and the Arch-Deacon of *Chester* shall take Mortuaries of the Priests within their jurisdiction, as hath been accustomed, notwithstanding this Act.

VI. Less Mortuaries already setled by Custom, shall not be increased

creaſed by this Act, and there alſo perſons exempted by this Act ſhall not hereafter be chargeable.

☞ Murder and Manſlaughter.

I. **Marlb. 25. 52. H. 3.** Murder ſhall not be adjudged where it is found misfortune only, but where the party is ſlain by felony, and not otherwiſe.

II. **Stat. 3. H. 7. 1.** *Pars inde.* Every Coroner, upon view of the dead body ſhall inquire of the perſon that hath done the death or murder, alſo of their abettors and conſenters, and who were preſent when it was done, and the names of the perſons ſo preſent and found, ſhall inroll and certifie.

III. Here, the offender and his acceſſaries being indicted, ſhall be alſo arraigned at any time within the year at the Kings ſuit, and the proceeding thereof, ſhall not tarry for any appeal to be proſecuted within the year, as hath been heretofore uſed.

IV. Albeit the principal or acceſſary be acquit within the year and day, yet ſhall not the Juſtices ſuffer them to go at large, but either remand them to priſon, or let them be bailed; until the year and day be out: And whether they be attainted or acquit, yet the wife or next heir of the ſlain, may within the year and day (the benefit of Clergy being not before had) proſecute their appeal againſt them, any ſuch attainder or acquital notwithſtanding.

V. The wife or heir may commence their appeal in proper perſon at any time within the year before the Sheriff and Coroners of the County where the offence was done, or before the Juſtices of the Kings Bench or Goal-delivery. And in any ſuch caſe (ſave only where Battel lieth) the Appellant (after the ſuit ſo commenced) may appoint an Attorney to proſecute it.

VI. When one is ſlain in the day time, and the murderer eſcapes untaken, the Townſhip that ſuffers it, ſhall be amerced, and the Coroner ſhall inquire thereof upon the view of the body dead.

☞ VII. Alſo Juſtices of Peace have power to inquire of Eſcapes; and to certifie them into the Kings Bench; And after the Felonies found, the Coroners ſhall deliver their inquiſitions before the Juſtices of the next Goal-delivery there, who ſhall proceed againſt the murderers, or elſe certifie ſuch inquiſitions into the Kings Bench.

VIII. A Coroner ſhall not be remiſs, but duly execute his office according to Law, in pain of 5 *l.* and ſhall have for his fee (upon view of the body) 13 *s.* 4 *d.* of the goods of the murtherer, if

if he have any; if not, then out of such amerciaments as shall be set upon the Town-ship that suffered the murtherer to escape.

Musters, *vid.* Captains and Souldiers.

I. Stat. 4.5. P.M.3. If any who shall be commanded to muster by any authorized thereunto, doth absent himself (having no lawful excuse) or at such musters doth not bring with him his best Arms, he shall suffer ten dayes imprisonment without Bail, to be imposed by the persons so authorized, unless he will agree to pay 40 *l.* for a fine to the use of the King and Queen, and the heirs and successors of the Queen, which fine shall be estreated into the Exchequer by the said persons so authorized under their seals within 2. moneths after such agreement, and afterward levied as fines assessed by Justices of Assize and Goal-delivery in their Circuits.

II. If any person authorized to muster, or levy Souldiers, shall exact or take any reward, to discharge or spare any from the said service, he shall forfeit ten times so much, as he shall so exact or take.

III. A Captain or other Officer, which after he shall have (for a reward) licensed a Souldier to depart, doth not pay him his wages, and coat and conduct money, shall forfeit ten times so much as he shall so take, and to the Souldier three times so much as he should have paid him.

IV. The one moiety of the aboveſaid forfeitures (except that limited to the Souldier) is given to the King and Queen, and the other to the prosecutor.

☞V. Justices of Assize, Justices of Peace, and Stewards in Leets have power to hear and determine these offences; and the Justices of Assize or Peace upon conviction of the offendor may commit him to prison without bail, until he hath satisfied the aboveſaid penalties to the King, Queen, and prosecutor, or where there is no prosecutor to the King and Queen alone.

VI. Offences committed during the time of service, shall be heard and determined by the Chief Commander.

VII. This Act shall not discharge service of war incident to the tenure of land.

VIII. The offendor of this Act shall not be twice punished for the same offence.

IX. None shall under colour of service of war incident to the tenure of land exact any other thing, then what shall be imployed

in

in preſent ſervice, and ſhall be reſtored again to the owner, when the ſervice is done, at leaſt ſo much thereof, as ſhall not be ſpent or loſt in the Service.

X. Inhabitants within Cities, Burroughs, and Corporations ſhall be muſtered at home, by the head-Officer, and one other (at leaſt) to be joyned with him by Commiſſion, or otherwiſe.

Newcaſtle upon Tine.

I. Stat. 9. 5. H. 10. ALL Keels in the Port of *Newcaſtle* ſhall be meaſured by Commiſſioners thereto aſſigned by the King and marked of what Portage they are, before any carriage of Coals be made by them, in pain to forfeit them to the King.

II. Stat. 21. H. 8. 18. No perſon ſhall ſhip, load, or unload any goods, to be ſold into, or from any Ship at any place: between the River of *Tine*, between the places called *Sparhawk* and *Headwinſtreams*, but only at the Town of *Newcaſtle*, in pain to forfeit ſuch goods which the Major, Burgeſſes and Commonalty there, ſhall have power to ſeize for the Kings uſe.

III. None ſhall raiſe or levy any Weare, gore, or engine in the Haven there betwixt the places aforeſaid, in pain of 100 *l.* to be divided betwixt the King and the proſecutor. And the Major &c. have power to take away all ſuch Wears, &c. which ſhall be found betwixt the ſaid places.

IV. This Act ſhall not extend to the buying, ſhipping, loading or unloading of ſalt or fiſh, nor to the buying or ſelling of any Wares or Merchandize, needfull for the victualling or amending of Ships.

☞ News

[a] I. Weſt. 1. 33. 3. E. 1. None ſhall report any falſe or ſlanderous news or tales, whereupon diſcord may ariſe betwixt the King and his People, or the great men of the Realm, in pain of impriſonment, until he produce the Author.

II. Stat. 2. R. 2. *Stat.* 1. 5. None ſhall deviſe, ſpeak or tell any falſe news, lies, or other ſuch falſe thing of Prelates, Lords, or the great Officers of the Realm, whereby any diſcord or ſlander may riſe, in pain to be puniſhed as by the Statute of *Weſtm.* 1. is ordained.

Stat.

III. Stat. 12. R. 2. 11. When any one hath ſpoken falſities, contrary to the aforeſaid Statute, and cannot produce the Author, and is thereupon impriſoned, he ſhall afterwards be puniſhed by the Kings Council, notwithſtanding the ſaid Stat. of *Weſt.* 1.

Niſi prius.

I. Weſt. 2. 30. 13. E. 1. Juſtices ſworn ſhall be aſſigned to take aſſizes of *Novel diſſeiſin*, *Mortdanceſtor*, and *Attaints*, and they ſhall aſſociate unto them one or two of the diſcreeteſt Knights of the County where they come, which Aſſiſes and Attaints ſhall be taken but thrice in the year, *viz.* 1. between 8. of *July* and the firſt of *Auguſt*. 2. the 13. of *September* and the 6. of *October*, the 3. of *January*, and the 2. of *February*.

II. At ſuch Aſſiſes, before they depart, they ſhall appoint the day of their return, and may alſo adjorn the Aſſiſes from day to day, if the taking of them happen to be deferred at any day by vouching to warranty, eſſoin, or default of jurors: They may alſo adjourn Aſſiſes of *Mortdanceſtor* (being reſpited by eſſoin or voucher) into the Bench, and in ſuch caſe ſhall ſend thither the Record thereof together alſo with the Original Writ: And when the matter is come to the taking of the Aſſiſe, the Juſtices of the Bench ſhall remit it to the Juſtices before whom the Aſſiſes ſhall be taken. But the Juſtices of the Bench in ſuch Aſſiſes ſhall give 4. dayes (at leaſt) in the year, before the Juſtices aſſigned, to ſpare expence and labour.

III. All pleas in either of the Benches, that require ſmall examination ſhall be determined before them: Howbeit it muſt be at a day and place certain appointed in the preſence of the parties, and mentioned in the Judicial writ by theſe words, *Præcipimus tibi quod venire facias coram juſticiarijs noſtris apud Weſtmonaſterium in partes illas prius venerint* (*niſi* Talis & Talis, tali die & loco *ad partes illas prius venerint*) *duodecem, &c.* And when the Inqueſts of ſuch pleas are taken, and they ſhall be returned into the Bench where they were commenced to receive Judgement, and to be inrolled: And Judgment otherwiſe taken ſhall be void, except in an Aſſize of *Darrein preſentment*, and Inquiſitions of *Quare impedit*, which ſhall be determined in their proper County, before one of the Juſtices of the Bench and a Knight, at a day certain in the Bench aſſigned whether the Defendant conſent or not, and there ſhall judgement alſo paſſe immediately.

IV. The Juſtices of the Benches ſhall have in their Circuits Clerks to inroll all pleas pleaded before them, as hath been uſed in

in times paſt: and the Juſtices aſſigned ſhall not compell the Jurors to ſay preciſely, whether it be diſſeiſin or not, ſo as they will ſhew the matter of fact, and then require aid of the Juſtices; But if they will of their own head ſay, that it is diſſeiſin, their verdict ſhall be admitted at their own peril: And the Juſtices ſhall not put upon Aſſizes or Juries any other, then ſuch as were ſummoned for the ſame at the firſt.

V. Stat. *De finibus levatis*, 27 E. 1. 4. Inqueſts and Recogniſances determinable before the Juſtices of either Bench ſhall be taken in time of vacation before any of the Juſtices, before whom the plea is brought, being aſſociate to one Knight of the ſame County, where ſuch inqueſt ſhall paſs, unleſs they require great examination: And ſuch Juſtices ſhall proceed therein notwithſtanding the Statute of 21 E. 1. *De ponendis in Aſſiſa*, which ſee in Jurors.

VI. Stat. *Eborac.* 12 E. 2. 3. Inqueſts in pleas of land (that require no great examination) ſhall be taken in the County before a Juſtice of the Peace, where the plea is, accompanied with a ſubſtantial man in the Country, whether Knight or other, ſo as a certain day be given in the Bench, and a certain day and place in the Country, in the preſence of the parties, and the demandant requeſt the ſame: but Inqueſts of pleas, that require great examination, ſhall be taken in the Countrey (in manner aforeſaid) before two Juſtices of the Bench.

VII. Stat. *Ebor.* 12 E. 2. 4. Juſtices of *Niſi prius* have power to record non-ſuits and defaults in the Countrey, at the dayes and places aſſigned, and ſhall report them in the Bench at a day certain, there to be inrolled, and thereupon Judgement ſhall be given.

VIII. Stat. 2 E. 3. 16. Inqueſts in pleas of Land ſhall be as well taken at the requeſt of the tenant, as of the demandants, notwithſtanding the Statute of 12 E. 2. 3.

IX. Stat. 4 E. 3. 11. Juſtices of the Benches, of Aſſiſe, and of *Niſi Prius*, ſhall have power to hear and determine maintenance, conſpiracy, confederacy, and champerty, as as well as Juſtices in Eyre: And that which cannot be determined before the Juſtices of either Bench, upon the *Niſi Prius*, ſhall be adjourned unto the Bench where they are Juſtices, and ſhall be there determined. Note, *that this Statute is confirmed by the Statute of* 7 R. 2. 15. *which ſee in* Maintenance.

X. Stat. 14 E. 3. *Stat.* 1. 16. A *Niſi prius* in the Kings Bench ſhall be granted before a Juſtice of that place, if any Juſtice of that place may well go into thoſe parts, if not, then before a Juſtice of

of the Common Pleas; so likewise, those in the Common Pleas shall be grantable before a Justice of the Kings Bench, if he may go thither, *vice versa*; but if none of them may go, then before the chief Baron, if, &c. or else before the Justices assigned to take Assizes in those parts, so as one of them be a Justice of one of the Benches, or the Kings Serjeant sworn: And here (to avoid fraud) if one party demand a tenor of the record, another tenor thereof shall be also (upon request) delivered to the other party.

XI. Where Assizes of *Quare impedit*, and *Darrein presentment* are triable in the Countrey by *Nisi prius*, before the Justices of either Bench, the chief Baron, or Justices of Assize, they may there give Judgement upon them.

XII. Stat. 9 R. 2. 7. In all pleas where *Nisi prius* is grantable of office, after the great distress returned and three times served before the Justices against the Jurors, and thereupon the parties demanded, if either party will pursue; or if they refuse to have a *Nisi prius* in the case, then at the suit of any of the Jurors there present, a Writ of *Nisi prius* shall be granted to end the quarrel, and that as well in the Exchequer as elsewhere.

XIII. Stat. 14 H. 6. 1. Justices of *Nisi prius* have power to give their Judgements in cases of Felony and Treason, as well upon acquital as attainder, and thereupon also award execution.

XIV. Stat. 18 El. 12. The chief Justice of *England* upon Issue joyned in the Kings Bench or Chancery, and the chief Justice of the Common Pleas, and the chief Baron of the Exchequer, upon issues joyned in their several Courts, or (in their absence) two other Justices or Barons are made Justices of *Nisi prius* for the County of *Middlesex*, and may sit in *Westminster-Hall*, or in the Exchequer, within the Term, or four dales after for the trial of Issues joyned in the said Courts respectively, and triable in *Middlesex* aforesaid, to prevent interruption of proceeding in the said several Courts during the term, and for the better ease of the Free-holders of *Middlesex*. Upon which trials *Tales* shall be granted, and all other proceedings shall pass as upon Writs of *Nisi prius* triable elsewhere in the Countrey.

Non-Conformists

1. Stat. 17. *Car.* 2. *Cap.* 1. *apud Oxon.* Enacted, That all Persons, Vicars, Curates, Lecturers, and other persons in or pretending to serve in Holy Orders, and all Stipendaries or other persons who have been possessed of any Ecclesiastical or Spiritual Promotion, and who have not declared their assent, and subscribed the Declaration mentioned in the Act of 14 *Car.* 2. *For uniformity of Publike Prayers*

ers, &c. And shall not take and subscribe the Oath following.

I A.B. do swear that it is not lawful upon any pretence whatsoever, to take up Arms against the King: And that I do abhor that Traiterous Position of taking Arms by his Authority against his Person, or against those that are Commissionated by him, in pursuance of such Commissions; and that I will not at any time endeavour any alteration of Government either in Church or State.

II. And all such persons who shall take upon them to preach in any unlawful assembly, conventicle, or meeting, under colour or pretence of any exercise of Religion, contrary to the Laws and Statutes of this Kingdom, shall not at any time after the 24th. of *March*, 1665. unless in passing upon the Road, come or be within five miles of any City or Town Corporate, or Borough that sends Burgesses to the Parliament within *England*, *Wales*, or Town of *Berwick* upon *Tweed*, or within five miles of any Parish, Town, or Place wherein he or they have since the Act of Oblivion, been Parson, Vicar, Curate, Stipendary or Lecturer, or taken upon them to preach in any unlawful Assembly, Conventicle, or Meeting, under colour or pretence of any exercise of Religion, contrary to the Laws and Statutes of this Kingdom, before he or they have taken and subscribed the said Oath, before the Justices of the Peace at their Quarter-Sessions, to be holden at the Division next to the Corporation, City or Borough, Parish, Place or Town in open Court, (which the said Justices are impowred to administer) upon forfeiture of every such offence the sum of forty pounds: one third thereof to his Majesty and his Successors, the other third part to the poor of the Parish where the offence is committed; the other third part to the person that will sue for the same, by Action of Debt, Plaint, Bill, or Information, in any Court of Record at *Westminster*, or before any Justices of Assize, *Oyer* and *Terminer*, or Goal Delivery, Justices of the Counties Palatine of *Chester*, *Lancaster*, or *Durham*, Great Sessions in *Wales*, or Justices of the Peace in their Quarter-Sessions, no Essoin, Protection, or Wager of Law to be allowed.

III. It shall not be lawfull for any person or persons restrained from coming to any City, Town Corporate, Burrough, Parish, Town or Place, as aforesaid, or for any other person or persons as shall not first take and subscribe the said oath, and as shall not frequent Divine Service, established by the Law of this Kingdom, and pray him or her self reverently there, to teach any publike or private School, or take any Boarders or Tablers to be taught or instructed by him or her self, or any other, upon pain of forty pounds for every offence, to be recovered and distributed as aforesaid.

IV.

IV. Any two Justices of the Peace in the respective County, upon oath to them of any offence against this Act, which oath they are impowred to administer, may commit the offendor for six moneths without Bail, unless before such Commitment, he shall before the said Justice of the Peace swear and subscribe the said Oath and Declaration.

Provided, That appearance to any *Subpœna*, Warrant, or Proces, whereby personal appearance is required, shall not be construed an offence within this Act.

Non-plevin.

I. Stat. 9 E. 3. 2. None shall lose their Land by reason of *Non plevin*.

Non-suit.

I. Stat. 2 H. 4. 7. Where before Justices of Assize the parties are adjourned for some difficulty in law upon the matter found, in this case the Plaintiff shall not be non-suited, albeit the verdict pass against him.

Non-tenure.

I. Stat. 25 E. 3. Stat. 5. 16. By the exception of Non-tenure of parcel no Writ shall abate, but only for the quantity of the Non-tenure which is alledged.

Northumbetland.

I. Stat. 23 H. 6. The Sheriff of *Northumberland* shall gather no more Head-pence there, in pain of 100 *l.* to be divided betwixt the King and the prosecutor.

Norwich.

I. Stat. 23 H. 8. 16. None shall buy within *Norwich* or the County of *Norfolk*, any Worsted-yarn spun in the said City or County but such as shall work it, or cause it to be wrought in *Norwich*, or elsewhere within the said County, in pain to forfeit for every pound thereof otherwise imployed 40 *s.* to be divided betwixt the King and the prosecutor.

II. None shall convey beyond Sea any Worsted-yarn (spun in *England*) in pain to forfeit 40 *s.* for every pound, to be divided as aforesaid.

III. Stat. 1 E. 6. 6. The Statute of 33 H. 8. 16. is made perpetual.

IV. Hat-makers dwelling in *Norwich* may buy Worsted-yarn called *Middle-usse yarn*, as they have used to do, notwithstanding the Statute of 33 H. 8. 16. so as they imploy it in Hat-making within the said City.

V.

V. Stat. 5, 6 E. 6. 24. None ſhall make Mats, Coverlets, or Dornecks, by himſelf or others, or uſe any of thoſe myſteries in *Norwich* or *Norfolk*, unleſs he be admitted ſo to do by the Major, Recorder, Steward, and two Juſtices of Peace of that City, or by four of them, or have been apprentice to the ſaid Myſterie by the ſpace of ſeven years.

VI. None ſhall make any Hats, Dornecks, or Coverlets, in *Norfolk*, but onely in ſome Corporate or Market-Town there, in pain to forfeit for every ſix Felts 10 *s.* for every Coverlet 3. 4 *d.* and for every ſix yards of Dornecks 6 *s.* 8 *d.*

VII. This Act ſhall not extend to the inhabitans of *Pulham* in *Norfolk*.

VIII. The Major, Recorder, Steward, or Juſtice of Peace, that takes a reward for admitting any to work ſhall forfeit 5 *l.* to be divided betwixt the King and the proſecutor.

IX. Stat. 1. 2. *P. M.* 14. An Act for the making of Ruſſets, Sattens, Sattens reverſes, and Fuſtians of *Naples* at *Norwich*, and not elſewhere, by which Act there is a Corporation made for that purpoſe, and divers Articles concerning the ſame. *See the Act at large.*

X. Stat. 39. El. 22. An eſtabliſhment of the Biſhoprick of *Norwich*, and the poſſeſſion thereof, againſt a pretended concealed title made thereunto. *See the Statute at large.*

Nuſance.

I. Weſt. 2. 24. 13. E. 1. A Writ of Nuſans ſhall be grantable as well againſt the Alienee as againſt the party that levyed it, & when it is againſt the party himſelf, the Writ ſhall be *Queſtus eſt nobis &. quod* D. *injuſte, &c. Levavit domum, murum, mercatum, & alia, quæ ſunt ad nocumentum, &c.* But when againſt the Alien, the Writ ſhall be *Queſtus eſt nobis* A. *quod* B. & C. *Levaverunt, &c.*

II. Stat. 6. R. 2. 3. All Writs of Nuſans called *Vicontiels*, ſhall be made at the election of the Plaintiff, according to the old form, or in the nature of Aſſizes, determinable before the Juſtices of the one Bench or other, or the Juſtices of aſſize to be taken in the County of the place aſſigned.

Oath.

SEE Magna Charta, *Printed by* Richard Tottle, *Anno Domini* 1556. fol. 164. and 166. *the Oaths of the Kings, the Biſhops, the Kings Counſellors, Eſcheators, Sheriffs, Majors, and Bayliffs. See the Oath Ex Officio, Courts and Juriſdictions Eccleſiaſtical.* Numb. IV. *and ſee Title* Quakers, Numb. I.

Obligations.

I. Stat. 38 E. 3. 4. Whereas divers people be bound in another Court out of the Realm, by instruments or otherwise, it is accorded, that all penal bonds in the third person be void, and holden for none.

Odio & Atia.

I. West. 1. 11. 3. E. 1. Forasmuch as many being indicted of Murder, and guilty thereof, by favourable inquests taken by the Sheriff, and by the Kings Writ of *Odio & Atia* are replevied, until the comming of the Justices in *Eyre*. It is provided, that from henceforth such Inquests shall be taken by lawful men chosen out by the oath of twelve men (of whom two at the least shall be Knights) who by no affinity with the Prisoners, or otherwise, are to be suspected.

Officers and Office.

I Stat. 12. R. 2. The Chancellor, Treasurer, Keeper of the Privy Seal, Steward of the Kings house, the Kings Chamberlain, the Clerk of the Rolls, Justices of the Benches, Barons of the Exchequer, and all others called to name, and ordain Justices of Peace, Sheriffs, Escheators, Customers, Controllers, or any other Officer or Minister of the King, shall be firmly sworn, that they shall not name or ordain any Officers or Ministers for any gift or brocage, favour or affection: And none, which pursueth by him or by other privily or openly to be in any such office, shall be put in the same or any other: but that they make all such Officers and Ministers of the best and most lawful and sufficient men in their judgement and knowledge.

II Stat. 14. R. 2. 10. No Customer, Controller, Searcher, Weigher, or Finder shall have any such Office for term of life, but only during the Kings pleasure, notwithstanding any Patent or grant to the contrary.

III. Stat. 17. R. 2. 5. No Searcher, Gauger, Aulnager, Finder or Weigher of Wools or other Merchandize, Collector of Customs and Subsidies, or Controller shall have their several Offices for term of life or years: But such Offices shall remain in the King's hand under the governance of the Treasurer with the assent of the

Council, if need be: and all Charters and Patents otherwiſe made ſhall be void.

IV. Stat. 1 H. 4. 13. The Statute of 17. R. 2. 5. ſhall be duly put in execution, and all Cuſtomers and Controllers ſhall be reſident upon their Offices in their proper perſons without making any deputies in their places.

V. Stat. 4. H. 4. 20. The Statute of 1 H. 4. 13. ſhall be duly put in execution and the ſaid Officers ſhall be ſworn ſo to do, on pain of impriſonment, and to forfeit 10l.

VI. Stat. 13. H. 4. 5. The Statute of 1. H. 4. 13. ſhall be duly put in execution: And all Cuſtomers, Controllers, Gaugers of Wines, and ſearchers ſhall be reſident upon their office, eſpecially at the time of charge and diſcharge of Ships and Veſſels, ſo that no ſuch Officer, after the time aforeſaid, be abſent from his ſaid Office, by three weeks at the moſt, in pain to loſe his Office, unleſſe he be commanded upon record to be in the Kings Courts, or otherwiſe in the Kings ſervice of Record.

VII. Stat. 2. H. 6. 10. All Officers made by the Kings Letters Patents within his Courts, which have authority (*ab antiquo*) to appoint Clerks and Miniſters within the ſame Courts, ſhall be ſworn to appoint ſuch there, for whom they will anſwer at their peril, and ſuch as be ſufficient, and will be faithful and diligent in their places.

VIII. Stat. 31. H. 6. 5. All Letters Patents of the ſaid Offices or Aulnage made againſt the effect of the Statutes of the 17 R. 2. 5. or 4. H. 4. 24. (*which ſee in* Drapery) ſhall be void: And no Letters Patents of any of them ſhall be hereafter made, but by warrant of bill ſealed by the Treaſurer, and ſent by him into the Chancery as hath been heretofore uſed; and if any be otherwiſe made, they ſhall be void.

14. This Act ſhall not extend to be prejudicial to the Queen, the Prince, the Duke of *Buckingham*, the heirs of *Henry*, late Earl of *Warwick*, the Cities of *London* or *Winchester*, to any Controller of any Office out of the Kings Ports, to *John Pannicock*, or *Giles Capell*, Eſquires, or to any of the King or Queens houſhold ſervants for any of their Offices, or the fees thereof due and accuſto-

X. Stat. 5. E. 6. 16. None ſhall bargain or ſell any Office or Deputation, or any part thereof, or receive or take any money or reward, or other profit, directly or indirectly, or any promiſe, agreement, bond, or aſſurance, to receive any ſuch profit for the ſame; which office ſhall concern the adminiſtration or execution of Juſtice, or the receipt, controlment, or payment of any of the

Kings Money or Revenue, or any Accompt, Aulnage, Auditorſhip, or ſurveying of any of the Kings Lands, or any of his Cuſtoms, or any adminiſtration or attendance in any Cuſtom-houſe, or the keeping of any of the Kings Towns, Caſtles, or Fortreſſes, (being places of ſtrength or defence) or any Clerkſhip in any Court of Record, in pain that the Bargainee thereof ſhall loſe his place, and the Bargainor be adjudged diſable to execute the ſame; and every ſuch bargain and agreement ſhall be void.

XI. Provided that this Act ſhall not extend to any office of inheritance, or for the keeping of a Park, Houſe, Manner, Garden, Chaſe or Foreſt, nor to the two Chief Juſtices, or Juſtices of Aſſize, but that they may grant offices, as they did before the making of this Act: Alſo all Acts done by an officer (removeable by force of this Statute) ſhall be good in Law, until he be removed.

XII. Stat. 14 *Car.* 2. *cap.* 8. Officers and Offices aſſeſſed for raſing Money, to be diſtributed amongſt loyal and indigent Officers of the late Kings Army.

XIII. Provided, this Act not to be drawn into preſident, to ſet any ſort of perſons diſtinct from the body of the people.

Oyer and *Terminer*.

I. Weſt. 2. 29. 13. *E.* 1. A Writ of Treſpas (*ad audiendum & terminandum*) ſhall not be granted, but before the Juſtices of either Bench, or Juſtices in Eyre, unleſs it be for ſome heynous Treſpas, which requires ſpeedy remedy.

II. A Writ to hear and determine Appeals (before Juſtices aſſigned) ſhall not be granted but upon a ſpecial caſe, a certain cauſe and the Kings command: And leſt the party ſhould be kept too long in priſon, they may have the Writ *De Odio & Atia*, provided by *Magna Charta*, *cap.* 26. and other Statutes.

III. Statutum quod vocatur Ragman de Juſticiariis aſſignatis, 33. *E.* 1. By this Act it was ordained, that Juſtices ſhould go through *England*, to hear and determine treſpaſſes, and other complaints of things done within 25 years before, and divers matters be in that Statute concerning thoſe things. *See the Statute in Vet. Cart.* fol. 28. *and Sir* Edw. Cook *in the fourth part of this Inſtit.* cap 34.

IV. Stat. 2. *E.* 3. 2. *Pars inde.* Commiſſioners of *Oyer and Terminer*, ſhall not be granted, but before the Juſtices of the one Bench or the other, or the Juſtices Errants, and that for great hurts and horrible Treſpaſſes, and of the Kings ſpecial Grace, according to the Statute of *Weſtm.* 2. 29.

Oyer

Oyle.

I. Stat. 3. H. 8. 14. The Major of *London*, together with the Maſter and Wardens of the Myſtery of Tallow-Chandlers there, ſhall have power to ſearch all Oyls brought to *London* to be ſold, and to overſee that the ſame be not mixed or altered from their right kinds; and what they ſhall find deceitfully mixed ſhall caſt away, and puniſh the Offendor by impriſonment, or otherwiſe, at their diſcretions, according to the Laws and Cuſtoms of the ſaid City.

II. Head-Officers in other Corporations, ſhall have the like power within their Juriſdictions.

☞ Ordinaries.

I. Weſt. 2. 19. 13. E. 1. Where an inteſtate dies in debt, and the goods come to the Ordinary to be diſpoſed, in this caſe the Ordinary ſhall ſatisfie the debts ſo far as the goods extend, in ſuch ſort, as the Executors of ſuch perſons ſhould have done, in caſe he had made a Teſtament.

II. Stat. 18. E. 3. 6, 3. Temporal Juſtices ſhall not make inquiries of proceſs awarded by the Spiritual Judges, ſaving onely the Article in *Ey* e, ſuch as ought to be.

III. Stat. 25. E. 3. *Stat.* 3. 9. The Juſtices ſhall not impeach Ordinaries, or their Miniſters, upon Indictments of general Extortions or Oppreſſions, unleſs they put in certain in what thing, of what, and in what manner the Ordinaries or their Miniſters have committed extortion or oppreſſion.

☞ Painters.

Stat. 20. NO Plaiſterer ſhall uſe to exerciſe the Art of a Painter in *London*, or the Suburbs thereof, or lay manner of Colour or Painting whatſoever (in the Art of painting heretofore uſed) unleſs he be a Servant or Apprentice to a Painter, or have ſerved ſeven years as an Apprentice in that Art, upon for every time ſo offending to forfeit 5 *l.* to be divided between the King and the Proſecutor.

Provided, that Plaiſterers may uſe Whiting, Blacking, Red-

Lead, Red-Okar, and Ruſſet, mingled with Size only, and not with Oyl, notwithſtanding this Statute.

III. Provided alſo, that no Painter ſhall take above 16 *d.* the day for laying any flat colour whatſoever, mingled or mixed with Oyl or Size, upon any Timber, Stone, or Lead.

Palace.

I. **Stat.** 28. *H.* 8. 12. The limits of the Kings Palace at *Weſtminſter* ſhall extend from *Charing-Croſs* to *Weſtminſter-Hall*, and ſhall have ſuch priviledges, as the Kings ancient Palaces have.

Panel.

I. **Stat.** 42. *E.* 3. 11. No Inqueſts but Aſſizes and Deliverances of Goals ſhall be taken by Writs of *Niſi prius* before the Names of all that are to paſs thereupon, are returned into the Court.

II. The Sheriff ſhall array the Panels in Aſſizes four days at leaſt before the Seſſions of the Juſtices, in pain of 20 *l.* ſo that the parties may have a Copy of the Panels, if they demand them; and the returns thereof by the Bayliffs to the Sheriffs, ſhall be ſix days before the Seſſions, upon the like pain.

III. The moſt ſubſtantial people, worthy of credit, and not ſuſpect, ſhall be put upon Panels, and ſuch as may have beſt knowledge of the truth, and dwell neareſt.

IV. **Stat.** 3. *H.* 8. 12. Panels returned by the Sheriff to inquire for the King, may be reformed by the Juſtices of Goal-Delivery, or Juſtices of peace (1 *Qu.*) before whom ſuch Panel ſhall be ſo returned: And the Sheriff ſhall return the Panels ſo reformed, in pain of 20 *l.* to be divided betwixt the King and the Proſecutor; and in this caſe, the Kings Pardon ſhall be no bar againſt ſuch Proſecutor.

☞ Pardon.

I. The **Stat.** of *Gloceſter* 9. 6. *E.* 1. No Writ ſhall be granted out of the *Chancery* for the death of a man, to inquire whether one did kill another by misfortune, or *ſe defendendo*, or otherwiſe by Felony: but the party ſhall be put in Priſon, untill the coming of the Juſtices in *Eyre*, or Juſtices aſſigned to the Goal-delivery, and ſhall put himſelf upon the Countrey beſo re them; and in caſe it be found *per infortunium*, or *ſe defe* . . . . . .

ſent to the King by the Juſtices, the King ſhall take him to his Grace, if he ſo pleaſe.

II. Stat. 2. E. 3. 2. *pars inde*, Charters of pardon for Manſlaughters, Robberies, Felonies, and other Treſpaſſes, ſhall not be granted, but where the King may do it, ſaving his Oath, *viz.* where one man killeth another in his own defence, or by a misfortune.

III. Stat. 4 E. 3. 13. The Statute of 2 E. 3. 2. is confirmed.

IV. Stat. 10. E. 3. 2. Pardons ſhall not be granted contrary to the *Stat.* of 2. E. 3. 2.

V. Stat. 10. E. 3. 3. He that hath a pardon of Felony, ſhall within three moneths after ſuch pardon find Sureties (before the Sheriff and Coroners for the good behaviour) which ſhall within 3 weeks after the 3 moneths, be returned into the *Chancery* under the Seals of the ſaid Sheriff and Coroners: And if the party give not Security as aforeſaid, as being bound, do bear himſelf otherwiſe againſt the Peace than he ought, the Pardon ſhall be holden for none.

VI. Stat. 14 E. 3. *Stat.* 1. 15. No Pardon of the death of a man, or other Felony, ſhall be granted, but onely where the King may do it, ſaving the Oath of his Crown; and if any Pardon be granted againſt the Statutes made before this time, it ſhall be holden for none.

VII. Stat. 27 E. 3. *Stat.* 1. 2. Pardons, which have not in them the ſuggeſtion, whereupon they are granted, and alſo the Suggeſtors name ſhall be void; ſo are thoſe likewiſe, which are granted upon falſe ſuggeſtions.

VIII. Stat. 13. R. 2. 1. In a Pardon, the offence committed ſhall be ſpecified, otherwiſe it ſhall not be allowed.

IX. No Pardon of Treaſon or Felony ſhall paſs without Warrant of the Privy Seal.

X. If the Offence pardoned, be afterwards found wilful Murder, that pardon ſhall not be allowed. *Vide Stat.* 16 R. 2. 9.

XI. Stat. 5. H. 4. 2 If an Approver ſhall commit Felony, after he is pardoned, he that procured his Pardon ſhall forfeit 100 *l.* whoſe Name ſhall alſo, for that purpoſe, be inſerted in the ſaid Pardon.

XII. Stat. 21 Jac. 35. The Kings moſt gracious and general Pardon, except as therein is excepted. *See the Statute at large.*

XIII. Stat. 12. Car. 2. cap. 11. The Kings moſt gracious free and general Pardon, Indempnity and Oblivion. *See the Stat. at large.*

Parliament.

I. The Mirrour of Justices, *Cap.* 1. *Sect.* 3. *Anno Alfredi Primi Monarchæ, Anno Domini.* Parliaments shall be held twice a year, and oftner if need require: *But note, that this was by the King and Lords only, and in time of Peace.*

II. Stat. 4. *E.* 3. 14. A Parliament shall be holden once a year, and oftner if need be.

III. Stat. 36. *E.* 3. 10. A Parliament shall be holden every year.

IV. Stat. 5. *R.* 2. *Stat.* 2. 4. Every person and Communalty having Summons of Parliament shall come thither, in pain to be amerced, or otherwise punished; And if the Sheriff doth not summon them, he shall be likewise amerced or otherwise, as hath been used in times past.

V. Stat. 12. *R.* 2. 12. The levying of the expences of Knights coming to Parliament, shall be made as in times past; and if any Lord or other have purchased Lands or other possessions, that were wont to be contributory to such expences, they shall stil continue to be so, notwithstanding such purchase.

VI. Stat. 7. *H.* 4 15. The election of the Knights of the Shires shall be as followeth, *viz.* At the next County, after the delivery of the Writ, Proclamation shall be made in full County of the day and place of the Parliament, and that all there present, as well Suitors summoned as otherwise, shall attend to the Election of the said Knights, and then in full County a free and indifferent Election shall be made, notwithstanding any request or command to the contrary.

VII. After such Choice, the names of the parties so chosen (be they present or absent) shall be written in an Indenture under the Seals of all them that did choose them; which Indenture so sealed and tacked to the said Writ, shall be the Sheriffs return thereof touching the Knights of the Shires: And in such Writs this Clause shall be hereafter put, *Et electionem tuam in pleno Comitatu tuo factam distincte & aperte sub sigillo tuo & sigillis eorum, qui electioni illi interfuerunt, nos in Cancellaria nostra ad diem & locum brevi contentum certifices indilate.*

VIII. Stat. 11. *H.* 4. 1. Justices of Assize shall have power to inquire in their Sessions, of Returns made by the Sheriffs, contrary to the Statute of 7 *H.* 4. 15. And if it be found by Inquest, that any Sheriff hath made any such return, he shall forfeit 100 *l.*

to

to the King, and the Knights ſo unduly returned ſhall loſe their wages.

IX. **Stat.** 1 *H.* 5. 1. All former Statutes made for the election of Knights of the Shire are confirmed.

X. They ſhall be reſiant in the County for which they are choſen, the day of the date of the Writ of Summons; ſo alſo ſhall they be that chooſe them: Alſo Citizens and Burgeſſes ſhall be reſiant in, and free of the Cities and Boroughs for which they are choſen.

XI. **Stat.** 6. *H.* 6. 1. Knights of the Shires and Sheriffs, againſt whom any Inqueſt of Office for undue Elections are found before the Juſtices of Aſſize, ſhall have their anſwer, and traverſe thereunto, and ſhall not be damnified thereby, until they be duly convict thereof according to Law.

XII. **Stat.** 8. *R.* 6. 1. The Clergy called to the Convocation by the Kings Writ, together with their Servants and Familiars, ſhall fully uſe and enjoy ſuch liberty or defence in coming, tarrying, and returning, as the great men and Communalty of the Realm, called to Parliament, do or ought to enjoy.

XIII. **Stat.** 8. *H.* 6 7. The election of Knights of the Shire, ſhall be made by the more voices of people dwelling in the Counties, having each of them Land or Tenements of the yearly value of 40 *s.* beſides Repriſes: alſo the Knights ſo choſen ſhall be reſiant within the ſame Counties.

XIV. The Sheriff hath power to examine upon Oath the chooſers, how much they may expend by the year.

XV. If the Sheriff be found by Inqueſt, and alſo attainted before Juſtices of Aſſize, to have done contrary to this Act, he ſhall forfeit 100 *l.* to the King, and ſuffer a years impriſonment, without Bail; and in that caſe the Knights ſo returned ſhall loſe their wages.

XVI. He that cannot expend 40 *s. per annum*, ſhall have no voice in the election of Knights for the Parliament, and hereafter in every Writ iſſued out for that purpoſe, mention ſhall be made of this Ordinance.

XVII. **Stat.** 10 *H.* 6. 2. A chooſer of the Knights of Parliament muſt be reſident, and have free-hold worth 40 *s. per annum*, beſides Repriſes, within the ſame County.

XVIII. **Stat.** 23. *H.* 6. 11. The Sheriff in the next County Court after he ſhall have received the Writ for aſſeſſing the wages of the Knights of Parliament, ſhall make Proclamation, that the Coroners, chief Conſtables, Bayliffs, and all others, (that will) appear at the next County Court, to aſſeſs the ſame wages at which

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V. Stat. 12. *R.* 2. 12. The levying of the expences of Knights coming to Parliament, ſhall be made as in times paſt; and if any Lord or other have purchaſed Lands or other poſſeſſions, that were wont to be contributory to ſuch expences, they ſhall ſtil continue to be ſo, notwithſtanding ſuch purchaſe.

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VII. After ſuch Choice, the names of the parties ſo choſen (be they preſent or abſent) ſhall be written in an Indenture under the Seals of all them that did chooſe them; which Indenture ſo ſealed and tacked to the ſaid Writ, ſhall be the Sheriffs return thereof, touching the Knights of the Shires: And in ſuch Writs this Clauſe ſhall be hereafter put, *Et electionem tuam in pleno Comitatu tuo ſeſtam diſtincte & aperte ſub ſigillo tuo & ſigillis eorum, qui electioni illi interfuerunt, nos in Cancellaria noſtra ad diem & locum brevi contentum certifices indilate.*

VIII. Stat. 11, *H.* 4. 1. Juſtices of Aſſize ſhall have power to inquire in their Seſſions, of Returns made by the Sheriffs, contrary to the Statute of 7 *H.* 4. 15. And if it be found by Inqueſt, that any Sheriff hath made any ſuch return, he ſhall forfeit 100 l. to

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XVIII. **Stat.** 23. *H.* 6. 11. The Sheriff in the next County Court after he ſhall have received the Writ for aſſeſſing the wages of the Knights of Parliament, ſhall make Proclamation, that the Coroners, chief Conſtables, Bayliffs, and all others, (that will) appear at the next County Court, to aſſeſs the ſame wages at which

which laſt County the Sheriff, and the other Officers ſhall be preſent in proper perſon, in pain that every one that makes default ſhall forfeit 40. *s.* and then the Sheriff ſhall in full County, aſſeſs every Hundred by it ſelf, and every Town in each Hundred by it ſelf; ſo as the ſum aſſeſſed upon all the Hundreds exceeds not the entire charge of the County; nor that aſſeſſed upon all the Towns in each Hundred exceeds not the ſum charged upon the Hundred in which they be.

XIX. The Sheriff, or other Office, which levies more then is ſo aſſeſſed, ſhall forfeit 20 *l.* to the King, and 10 *l.* to the Proſecutor; for the recovery of which 10. *l.* the ſaid proſecutor ſhall have a *Scire facias*, and if the Defendant make default, or appear, and is afterward convict, he ſhall recover the ſaid 10. *l.* to his own uſe, (over and above the ſaid 20 *l.*) and beſides treble damages for his coſts of ſuit.

XX. The Sheriff ſhall levy the ſaid Aſſeſsments as ſpeedily as may be, after they are ſo aſſeſſed, and ſhall deliver them to the Knights.

XXI. Juſtices of both Benches, Juſtices of Aſſize, Goal-delivery and Peace, have power to hear and determine theſe abuſes, as well at the ſuit of the King, as of the party.

XXII. This Aſſeſsment ſhall not be levied, but only in places where it hath been formerly levied, and hereafter in every Writ for the levying of ſuch wages, this Act ſhall be inſerted.

XXIII. Stat. 23 H. 6. 15 The Statutes of 1 H. 5. 1. and 8 H. 6. 7. ſhall be kept in all points.

XXIV. The Sheriff, after the receipt of the Writ, ſhall deliver a precept under his Seal to every Mayor and Bailiff, or Bailiffs, or Bailiff (where no Mayor is) of the Cities and Boroughs within his Country, reciting the Writ, and commanding them, if it be a City, to chooſe by Citizens of the ſame City, Citizens; and if a Borough, Burgeſſes, to come to the Parliament; And ſuch head-Officers ſhall lawfully return ſuch precept to the ſame Sheriff by Indenture betwixt them of ſuch Elections, and of the names of the Citizens and Burgeſſes ſo choſen, and thereupon the Sheriff ſhall make a good return of every ſuch Writ, and alſo of every ſuch return made by the ſaid Head-Officers.

XXV. If the Sheriff aforeſaid do contrary to this Act, or any other formerly made for the election of Knights, Citizens, and Burgeſſes, the Sheriff ſhall incur the pain contained in the ſaid Stat. of 8 H. 6. 7. and beſides, ſhall forfeit to the perſon ſo choſen, and not duly returned, 100 *l.* more, to be recovered by action of debt by the ſaid perſon ſo choſen againſt the ſaid Sheriff, his Executors and Adminiſtrators,

miniſtrators, or (in his default) by any other Proſecutor, in which Action, no Eſſoin, &c. ſhall be allowed: And if ſuch Head-Officers ſhall make a falſe return, they ſhall forfeit 40. *l.* to the King, and 40. *l.* more to the perſon ſo choſen and not returned, to be recovered by ſuch perſon, or other proſecutor, in manner aforeſaid.

XXVI. The Sheriff that maketh not due Election of Knights, betwixt the hours of 8. and 11. in the forenoon, and a good true return in manner aforeſaid, ſhall incur the pain of 100. *l.* to the King; and as much to any that will ſue for the ſame.

XXVII. The party grieved ſhall commence his Action within three moneths after the beginning of the Parliament, and (in his default) the proſecutor may then take it.

XXVIII. If any Knight, Citizens, or Burgeſs returned by the Sheriff be put out, and another put in his place, the perſon ſo put in (if he take the place upon him) ſhall forfeit 100. *l.* to the King, and as much to the perſon ſo put out, who ſhall have an Action of debt for the ſame, if he commence his Suit within three moneths after the beginning of the Parliament.

XXIX. The Knights of the Shires ſhall be notable Knights of the ſame County for which they are choſen, or elſe notable Eſquires, or Gentlemen born in the ſame Counties, and ſuch as are able to be Knights; but none ſhall be ſuch a Knight, which ſtandeth in the degree of a Yeoman, or under.

XXX. **Stat.** 6 H. 8. 16. No Knight, Citizen, Burgeſs, or Baron of any of the Cinque-ports ſhall depart from the Parliament without the licence of the Speaker and Commons in Parliament aſſembled, to be entred upon Record in the Clerk of the Parliaments Book, in pain to loſe their wages.

XXXI. **Stat.** 33 H. 8. 21. The Kings Royal aſſent by his Letters Patents under the Great Seal, and ſigned by his hand, and notified in his abſence to the Lords and Commons aſſembled in the Upper Houſe, is, and ever was, of as good ſtrength and force, as if the King were perſonally preſent, and had publickly aſſented thereunto.

XXXII. **Stat.** 35 H. 8. 11. Whereas Knights and Burgeſſes of Parliament in *England* and *Wales* have uſed to have allowed them, *viz.* the Knights 4. *s.* and the Burgeſſes 2. *s.* a day, or more during the Parliaments, and their reaſonable time of comming to, and returning from the Parliament, together with their coſts of Writs, and other ordinary fees and charges, by this Statute it is ordained, that the Sheriffs of all the 12. Shires in *Wales*, and the County of *Monmouth* ſhall have power to levy the ſaid fees of the Inhabitants of thoſe Shires and Counties, and ſhall pay them to the Knights

Knights within two moneths after the ſaid Knights ſhall have delivered unto them their Writs *de ſolutione feodi Militis Parliamenti*, in pain to forfeit 20. *l.* to be recovered by bill, plaint &c. and to be divided betwixt the King and the proſecutor; and for every month that ſuch default is made, after the ſaid two moneths 20. *l.* more, to be levied as aforeſaid. The Head-Officers alſo of the Cities and Boroughs in the ſaid twelve Shires and County, ſhall levie and pay their Burgeſſes wages and fees within the like time, after the Writs *De ſolutione feodi Burgenſ. Parliam.* delivered unto them upon the like pains, to be levied of the goods and chattels of ſuch Head-Officers.

XXXIII. The Inhabitants of the Cities and Boroughs in the ſaid Shires and County, which having no Burgeſſes of their own, uſe to contribute towards of the wages of the Burgeſſes of the Shire-Towns, ſhall have warning by Proclamation, or otherwiſe, from the head-officers of the ſaid Towns, to come and give their voices at the electing of the Burgeſſes of ſuch Shire-Towns,

XXXIV. Two Juſtices of Peace in each of the ſaid Shires and County, have power to tax every City and Borough in the ſeveral Counties where they inhabit reſpectively, towards the wages of the Burgeſſes within the Shire-Towns, which taxes ſhall be again raced upon the Inhabitants of each ſuch City and Borough by four or ſix diſcreet and ſubſtantial Burgeſſes there, and then levied and paid by the head-officers unto the Burgeſſes of Parliament for the ſaid Shire-Towns, in manner and form aforeſaid, and upon the like pains.

XXXV. Stat. 12 Car. 2. cap. 1. The Parliament begun the 3. of *Nov.* 16. *Car.* 1. declared to be diſſolved: And the Lords and Commons now ſitting, declared to be the two houſes of Parliament.

XXXVI. The Parliament begun at *Weſtm.* 3. of *Nov.* 1640. declared to be diſſolved, and that there is, nor can be any legiſlative power in either, or both Houſes of Parliament, without the King.

XXXVII. Tumultuous and diſorderly preparing Petitions, Remonſtrances to the King and Houſes of Parliament, having been a great occaſion of the late Wars and calamities; *It is Enacted*, That no perſon hereafter ſhall ſollicite or procure any Petition, Complaint, Remonſtrance, Declaration, or other addreſs to the King, or both, or either Houſes of Parliament, for altering of matters eſtabliſhed by Law in the Church or State, unleſs the matter thereof have been firſt conſented unto, and ordered by three or more Juſtices of the County, or by the major part of the Grand Jury

of

of the County, or Diviſion of the County where the ſame matter ſhall ariſe, at the publick Aſſizes, or general Quarter-Seſſions; Or if in *London*; by the Lord Mayor, Aldermen, and Commons in Council Aſſembled.

XXXVIII. Provided, this Act be not intended to hinder any perſons not exceeding 10. in number, to preſent any publick or private grievance or complaint to any Members, after election, and during continuance of the Parliament: or to the King for remedy therein; nor to any addreſs to the King by all or any the Members of *Parliament*, during their ſitting.

XXXIX. **Stat.** 16. *Car.* 2. cap. 1. The Act in 16. *Car.* 1. Entituled, *An Act for preventing of Inconveniencies happning by long intermiſſions of* Parliament; Being in derogation of his Majeſties juſt Right and Prerogatives inherent to the Crown, for calling and aſſembling Parliaments, Repealed: And declared, That Parliaments ſhall not be intermitted, or diſcontinued above three years at the moſt, and to be aſſembled and called oftner if need requires.

Parſon, Vicar, and Parſonage.

I. **Stat.** 14 E. 3. *Stat.* 1. 17. Parſons, Vicars, Wardens of Chappels, and Provoſt-Wardens, and Prieſts of perpetual Chanteries, ſhall have their Writs of *Juris utrum*, of lands and tenements, rents and poſſeſſions, annexed and given perpetually in Almes to Vicarages, Chappels, or Chanteries, and recover by other Writs in their caſe, as far forth as Parſons of Churches and Prebends.

Partitions, and Parceners.

I. **Statutum Hiberniæ**, 14 *H.* 3. If land deſcend to ſeveral Coparceners, they ſhall all hold of the chief Lord of the Fee, and not one of another: This is the uſage in *England*, and ſhall alſo be obſerved in *Ireland*.

II. **Prerog. Reg.** 5 17 E. 2. If one Inheritance that is holden of the King in chief, deſcended to many Parceners, all the heirs ſhall do homage to the King, and that Inheritance ſhall be divided amongſt thoſe heirs, ſo that every of them after, ſhall hold their part of the King.

III. **Stat.** 31 *H.* 8. 1. Joynt-tenants, and tenants in common of any inheritance, in their own right, or in the right of their Wives in any Manners, Lands, Tenements, or Hereditaments, may be compelled

pelled to make Partition by Writ, *De partitione facienda*, as Coparceners are compellable to do, and this Writ ſhall be purſued at the common Law.

IV. Provided, that after ſuch Partition made, they ſhall have aid one of another, and of their heirs to deraign warranty, and to recover for the rate as Coparceners uſe to have.

V. Stat. 32. H. 8. 32. Joint-tenants, and Tenants in common, that have inheritance, or free-hold in any Mannors, Lands, Tenements, or Hereditaments ſhall be alſo compellable to make partition by the ſaid Writ to be purſued upon their caſe. Howbeit, ſuch partition ſhall not be prejudicial to any, but the parties to ſuch partition, their Executors and Aſſigns.

Paſſage and Arrivage.

I. Stat. 8. H. 6. 27. Any of the inhabitants of *Tewkſbury, in Com. Glouceſtr.* may have an action of debt (according to the Stat. of *Wincheſter*) to recover againſt the communalty of the Foreſt of *Dean*, and hundred of *Bledisſlow* and *Weſtbury* (though no Communalty) recompence for robberies and wrongs done them upon *Severn*: Alſo the goods of any private perſon may be taken upon an Execution awarded againſt the Communalty; Any perſon may arreſt and impriſon the offendors, and he whoſe goods are taken in execution, may have an action of treſpas or debt againſt the offendor.

II. Stat. 9 H. 6. 5. All perſons ſhall have free paſſage in *Severn* with Flotes and Drags, and all other Merchandize goods and chattels, and if any be diſturbed he ſhall have his remedy by action at the common Law.

III. Stat. 19 H. 7. 18. Another ſtricter ſtatute for the free paſſage of *Severn*: See *the Statute at large.*

IV. Stat. 23 H. 8. 12. None ſhall interrupt the paſſage upon the banks of *Severn*: or take, or ask any tax or toll for the ſame, in pain of 40. *s.* to be divided betwixt the King and the party grieved.

V. Stat. 26 H. 8. 5. Juſtices of Peace in the Counties of *Glouceſter* and *Somerſet* in *Seſſions*, ſhall bind Keepers of Ferries over *Severn*, by Recognizance with good Sureties, that they ſhall not tranſport any paſſenger or cattel out of *England* into *Wales*, or the Forreſt of *Dean*, or from either of thoſe places into *England* before Sun-riſing, or after Sun-ſet, unleſs ſuch as they know and will anſwer for; And beſides, the parties ſo offending, ſhall thereby incur fine and impriſonment.

Stat.

VI. Stat. 2. and 3. P. M. 16. At the firſt Court of Aldermen in *London*, next after the firſt of *March*, out of the Watermen, betwixt *Graveſend* and *Windſor*, there ſhall be 8. choſen for Overſeers, which ſhall have power to keep good order amongſt the reſt.

VII. Two Water-men ſhall not carry any, but where one of them hath exerciſed that profeſſion two years before that time, and hath been allowed by the greater part of the ſaid Overſeers under the known Seal, in pain to be committed to one of the Counters by the ſaid Overſeers for one moneth, or for leſs time, as the offence ſhall deſerve.

VIII. No ſingle man, which is no houſholder, nor retained as an Apprentice, or as a ſervant for one year at leaſt, ſhall exerciſe that profeſſion, betwixt the places aforeſaid, in pain of like puniſhment.

IX. The Lord Mayor and Aldermen of *London*, and the Juſtices of Peace within the Counties adjoyning to the River of *Thames*, upon complaint of any two of the Overſeers, or of any Watermans Maſter, have power not only to hear and determine any offences committed againſt this Act, and to enlarge any Waterman unjuſtly puniſhed by the ſaid Overſeers, but likewiſe to inflict puniſhment upon the Overſeers themſelves, in caſe they unjuſtly puniſh any perſon by colour of this Act.

X. A Wherry, that is not two foot and half long, and 4. foot and an half broad in the Mid-ſhip, and ſufficient to carry two perſons on one ſide right, ſhall be forfeit; in which caſe the King and Queen ſhall have the one Moiety, and the Informer the other.

XI. The Water-man, that withdraws himſelf in time of preſſing (it being proved by two witneſſes before the ſaid Mayor, Aldermen, or Juſtice, and two of the ſaid Overſeers) ſhall ſuffer a fortnights impriſonment, and ſhall be prohibited to row any more upon the *Thames* for a year and a day after.

XII. The Overſeers ſhall not only call the Water-men before them, direct them and regiſter their names, but likewiſe examine their Boats before they be launched, whether they have due proportion and goodneſs according to this Act.

XIII. If the Overſeers refuſe, or neglect their Office, they ſhall forfeit 5 *l.* whereof the King and Queen ſhall have the one Moity, and the Informer the other.

XIV. The Court of Aldermen ſhall aſſeſs the fares of Watermen, which being ſubſcribed by two of the Privy Council (at leaſt) ſhall be ſet up in *Guild-Hall*, *Weſtminſter-Hall*, &c. And the Water-man that takes more then according to the Fare ſo aſſeſſed, ſhall

ſhall for every ſuch offence, ſuffer half a years impriſonment, and forfeit 40 *s.* to be divided, as before.

XV. Stat. 1 *Jac.* 16. No Water-man ſhall retain any ſervant or Apprentice, unleſs he himſelf hath been an Apprentice to a Water-man, by the ſpace of five years before, and not an Apprentice under the age of 18 years, or for leſs time then ſeven years, in pain to forfeit for every ſuch offence 10 *l.* to be divided betwixt the King and the proſecutor.

XVI. This Act ſhall not reſtrain Water-mens Sons of convenient growth and ſtrength, and formerly trained up in rowing, but that they may be allowed to ſerve as Apprentices, and to carry paſſengers from place to place, at the age of 16 years.

XVII. The eight Overſeers ſhall yearly upon the firſt of *March*, and the firſt of *September*, cauſe openly to be read in their common Hall, all their Orders, made or to be made, in pain that every of them for every ſuch defalt, ſhall forfeit 20 Nobles, to be divided betwixt the King and the proſecutor.

XVIII. Stat. 21 *Jac.* 32. The River of *Thames* ſhall be made Navigable for Barges, Boats, and Lighters, from the Village of *Bercot*, in the County of *Oxon*, unto the Univerſity and City of *Oxon*, See *the Statute at large.*

Patents.

I. Prerog. *Reg. Cap.* 65. 17 E. 2. The Kings gift or grant of Land or Manor, *cum pertinentiis*, conveyeth not Knights Fees, Advowſons, or Dowers, without expreſs words.

II. Stat. 11 R. 2. 8. All annuities, and other things given or granted by the King, his Father, or Grand-father with this Clauſe, *Quouſque pro ſtatu ſuo, aliter duxerimus ordinandum*, ſhall be void; if other things have been afterwards accepted by the Grantees thereof.

III. Stat. 1 H. 4. 6. To the intent that the King might not hereafter be deceived in his Grants, he is content (by the aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons) to be hereafter concluded by the wiſe men of his Council in things touching the eſtate of him and his Realm, ſaving always his liberty.

IV. In a Petition to the King for Lands, Annuities, Offices, *&c.* their value ſhall be therein expreſs'd; otherwiſe the Letters Patents thereupon had ſhall be void.

V. Stat. 18 H. 6. 1. All Letters Patents, which bear no date

ſince the day of the delivery of the Kings Warrant into the Chancery, ſhall be void.

VI. Stat. 6 H. 8. 15. If any make ſuit to the King for lands, offices, or other things formerly granted to any perſon during the Kings pleaſure, the firſt Patentee being ſtill in life, the laſt Grantee ſhall expreſs in his Petition or Patent, the former Patent, and the determination of his pleaſure concerning the ſame, otherwiſe the laſt Grant ſhall be void.

VII. Stat. 34, 35 H. 8. 21. The King ſhall hold and enjoy all Honours, Manors, Lands, and other Hereditaments, which he hath obtained ſince the fourth of *February*, in the 27th year of his Reign, or ſhall hereafter obtain, within ſeven years next after the making of this Act, by bargain, exchange, or purchaſe: Notwithſtanding, any miſ-recital, non-recital, or not naming of the ſaid Honours, &c. or of the places where they lie, or of any part thereof, or any other matter or cauſe whatſoever.

VIII. The right of others is ſaved, ſave only for rents, ſervices, and rents ſecks.

IX. All Letters, Patents and Grants, made by the King ſince the ſaid 4th of *February*, or which ſhall be hereafter made by him within 7 years next after the making of this Act, ſhall be good. Notwithſtanding in any miſ-naming; miſ-recital; non-recitall, not finding of Offices, miſ-recital, or non-recital of Leaſes, uncertainly miſcaſting, rating, or ſetting forth of the yearly values or rate of the things granted, or of the yearly Rents thereof, want of Attornment, and Livery of Seiſin, or the miſ-naming of the places where the things granted do lie, or of the Tenants or Farmers of them, or any of them.

X. Provided (that notwithſtanding this Act) the Kings Grants of Offices, and their fees for keeping of Caſtles, Houſes, Parks, Chaſes, Forelts or Block-houſes, ſhall be void, when the cauſe of exerciſing ſuch Offices is determined.

XI. Provided alſo, that this Act ſhall not extend to revive any Letters Patents, or any Office granted by the King, which have been made void by Authority of Parliament, Judgement, Decree, or otherwiſe.

XII. This Act ſhall not be prejudicial to any Letters Patents, Indentures, or Writings made after the ſaid 4th of *February*, and before the 28th of *April*, in the 28th year of the Kings Reign, or by any other Statute made for the corroboration of ſuch Letters Patents, Indentures or Writings.

XIII. Stat. 1. E. 6. 8. Such another Statute made for the con-

firmation of all Grants made and to be made by E. 6. from the 28th of *January*, in the first year of his Reign, and so during his life, with such provisoes and limitations, as in the former Act of 34, 35 of H. 8. are contained. *See the Statute.*

XIV. Stat. 7 E. 6. 3. A confirmation of the Kings Letters Patents, notwithstanding his non-age, or any Statute heretofore made for the reservation of Tenures, Rents or Tenths.

XV. Stat. 4,5 P.M. 1. Another like Act made for the confirmation of all Grants made and to be made to, or by the Queen, or the King and Queen, from the first of *July*, in the first year of her Reign, and so during her life, with such provisoes and limitations, as in the said former Acts of H. 8. and E. 6. are contained.

XVI. Stat. 18 E. 2. Another like confirmation of all Grants made to, for, or by the Queen, or to be so made within 7. years next after the end of this Session, with like provisoes and limitations, as in the former Statutes.

XVII. Stat. 35 *El.* 3. All Abby-lands which came to the hands of H. 8. shall be adjudged to have been in his actual and lawful possession, notwithstanding any defect, want or insufficiency, of, or in any Surrender, Grant, or Conveyance thereof, or of any part thereof made to the said King, or any other matter or cause whatsoever, whereby he might have been entitled thereunto.

XVIII. All Letters Patents made by him (since the fourth of *February*, in the 25. year of her Reign) for the foundation of any Dean and Chapter, or Colledge, shall be adjudged good.

XIX. The right of all others (except of Abbots, Priors, &c.) is saved.

XX. Stat. 43 *El.* 1. All grants made to the Queen since the 8th of *February*, in the 27th year of his Reign (except by Ecclesiastical persons, or bodies politique, not having power or ability to make such Grants) are confirmed.

XXI. The right of all others is saved, except of the parties and privies of such Grants.

XXII. All Grants made by the Queen to others, since the said time, as also all others, that should be made (by force of a Commission then on foot) before the end of this Session, or within one year after, shall be good.

XXIII. The Letters Patents of all such grants, shall be expounded most beneficial to the Patentees, any mis-naming, mis-recital, non-recital, &c. notwithstanding.

XXIV. This Act shall not extend to Letters Patents of Offices

ces, nor of concealments, except ſuch concealments only, as are ſold by Commiſſioners.

XXV. Neither ſhall this Act extend to make good any Letters Patents heretofore adjudged void by any Court of Record at *Weſtminſter*, or by Act of Parliament; neither yet thoſe of Monopolies, for toleration of any offence prohibited by any penal Law; nor of Lands, where there is an eſtate tail in the Queen, unleſs ſuch eſtate be duly received.

XXVI. Here alſo the right of others is ſaved.

XXVII. **Stat.** 21 *Jac.* 25. The King nor any other claiming from, by, or under him, ſhall hereafter take advantage againſt the Kings Patentees or Tenants; for default of payment of Rent, or other duty to be performed; ſo as the rent be paid, or ſuch duty performed before ſuch advantage taken, or any Commiſſion awarded to enquire, or other proceſs ſhall be iſſued for ſuch forfeiture.

XXVIII. **Stat.** 21 *Jac.* 29. All Leaſes made, and to be made by Prince *Charles*, of the Dutchie Lands of *Cornwall*, ſhall be good.

XXIX. Howbeit, they ſhall not be good, unleſs they be in poſſeſſion, and granted only for 31 years, or three lives, or eſtates determinable upon 31 years, or three lives, and thereupon alſo the accuſtomable Rent for the greateſt part of 20 years before, ſhall be reſerved; and where no ſuch Rent hath been payable, a reaſonable Rent ſhall be reſerved, not under the twentieth part of the clear yearly value, neither ſhall ſuch Leaſes be diſpuniſhable of waſte.

XXX. All Covenants, and other agreements contained in ſuch Leaſes, ſhall be good.

XXXI. The right of others (except of the King and Prince, and their Succeſſors) is ſaved.

XXXII. 1 *Car.* 2. Such another Act for Leaſes to be made of the ſaid Dutchie Lands within three years, with ſuch Clauſes and Proviſoes, as in the Act of 21 *Jac.* 29.

Paving.

1. **Stat.** 24 H. 8. 11. The Street-way between *Charing-Croſs* and *Strand-Croſs*, ſhall be ſufficiently paved at the Charge of the Owners of the Lands adjoyning to the ſame, and ſhall alſo be afterwards repaired by them, in pain to forfeit to the King, 12 *d.* for every yard ſquare, not ſo paved and repaired; and 25 H. 8. for *Holborn* and *Southwark*.

II. Stat. 32 H.8.17. All persons having lands betwixt *Algate* and *White-Chappel* Church, or in *Chancery-Lane*, *Grayes-Inn-Lane*, *Schoe-Lane*, *Fetter-Lane*, or the way betwixt *Holborn-bars*, and *High-Holborn*, as far as any houses are there built, shall before the 24th of *June* 1542. sufficiently pave so much of the Streets and Lanes aforesaid, as are next adjoyning to their said lands, and continue them in good repair, in pain to forfeit for every yard square not so paved or repaired, 6 d.

III. The Mayor, Aldermen, and Justices in *London*, and the Justices of Peace in *Middlesex* have power, within their respective Jurisdictions, to enquire, hear, and determine in Sessions, the defaults. And in case the said Justices shall be found remiss therein, they shall respectively forfeit 5 *l.*

IV. The Clerk of the Peace in *Middlesex*, shall duly estreat into the *Exchequer*, the Fines and forfeitures happening upon this Act, in pain of 5 *l.* to be divided betwixt the King and the prosecutor.

V. Any three Justices in *London*, whereof the Mayor is to be one, have power to set Fines upon such as do not pave or repair any Street or Lane in *London*, or the liberties thereof, to be levied, by distress, plaint, or action, by the Chamberlain, to the use of the Mayor and Commonalty of the said City.

VI. The Inhabitant paving his part in the said Streets or Lanes, may defaulk so much of his rent from his lessor, as the charge thereof shall amount unto, unless it be otherwise agreed betwixt them.

VII. Stat. 35 H.8.12. Another like Statute for the paving and repairing of *White-Cross-street*, *Chesswel-street*, *Golding-Lane*, *Grub-street*, *Goswel-street*, *Long-Lane*, Saint *Johns-street*, the streets there, leading from the *Bars* to *Cow-Cross*, *Water-lane* in *Fleet-street*, the streets behind Saint *Clements-Church* without *Temple-Bar*, the way from the *west-bars* in *Tothil-street* in *Westminster* to the West end of *Petit-France*, the way without *Bishops-gate* above *Shoreditch Church*, *Strand-bridge*, and the way leading from thence towards *Temple-Bar*, and *Foscue-lane*, leading down to *Strand-bridge*: And (in the said Act) the Justices of *Middlesex* have also power to set Fines upon the defaulters at their discretion.

VIII. Stat. 13 El.23. Another Act of like nature for paving and keeping in repair the way without *Algate*, called the *Bars* without *Algate*; another, leading from the *Old-Cag*, there to the North-end of *Nightingal-lane*, and another between the said *Old-Cage* and *Cross-Mill* in the Parish of Saint *Mary*, the pain for default being 3 *s.* 4 *d.* to the Queen for every yard square not so paved or repaired;

paired: This Act likewiſe provides for the ſcowring and cleanſing of certain ditches thereabouts.

IX. Stat. 18 El. 19. An Act for the paving of *Chicheſter*.

X. Stat. 23 El. 12. Another Act for the paving of the *Minories*, being an additional Act, to 13 El. 23. And the Ditch in *Hog-Lane*, ſhall be ſcowred and cleanſed by the owners of the lands lying on the North-ſide of the ſaid Lane, in pain to forfeit 6 s. 8 d. for every pole uncleanſed: and by this Act, the Juſtices of Peace in *London* and *Middleſex*, ſhall appoint Scavengers.

XI. Stat. 3 Jac. 22. Another Act for the paving and keeping in repair the ſtreet in St. *Giles* in the Fields, and *Drury-Lane*.

☞ Peace.

I. Stat. 2 E. 2. The Statute of *Winchester* and other Statutes made for the keeping of the Peace, ſhall be duly obſerved.

II. The Juſtices aſſigned ſhall have power to puniſh reſiſters of the Peace.

III. Stat. 2 R. 2. Peace ſhall be kept, and Juſtice and Right duly adminiſtred to all perſons: *See all the Statutes of* 2 H. 4. 1. 2 H. 4. and 1. 7 H. 4. 1. to the like effect.

Penſions, Portions, and Corodies.

I. Stat. 34, 35 H. 8. 19. Penſions, Portions, Corodies, Indemnities, Synodies, Proxies, and all other profits due out of Religious lands diſſolved, ſhall be paid to Biſhops, Arch-deacons, and other Eccleſiaſtical perſons by the occupiers of the ſame lands, if ſuch Eccleſiaſtical perſon were ſeiſed thereof within ten years before their diſſolution: And if upon ſuits in the Eccleſiaſtical Court for the ſame the Defendant be convict, the Plaintiff ſhall recover the value thereof in damages, together with his coſts of ſuit: The like he ſhall recover at the Common Law, when the cauſe is thereby determinable.

II. Provided, that if the King hath demiſed any of the ſaid lands with a Covenant to diſcharge the tenant of ſuch charges, that then the party claiming the ſame, ſhall ſue for them in the Court of Augmentations, and not elſewhere.

☞ Perjury.

I. Stat. 5 El. 9. None ſhall ſuborn a witneſs to give teſtimo-

ny in any Court of Record concerning any lands, goods, debts, or damages in pain of 40 *l.* and if the offender (being convicted thereof) hath not wherewithall to ſatisfie the ſaid forfeiture, he ſhall ſuffer 6 moneths impriſonment without bail, ſtand upon the Pillory one whole hour in the ſame or next Market-town, where the offence was committed, and be for ever after diſabled to give teſtimony in any Court of Record, until the judgement given againſt him be reverſed by attaint or otherwiſe.

II. He that commits wilful periury, ſhall forfeit 20 *l.* ſuffer ſix moneths impriſonment without bail, and be ever after diſabled to give evidence; until the judgement given againſt him be reverſed, as aforeſaid; and here alſo if he hath not wherewithall to diſcharge the fine, (in the Countrey) the Sheriff, (or in a Corporation) the Head Officer ſhall cauſe him to be ſet upon the Pillory in ſome Market-place, and to have both his ears nailed.

III. The forfeitures aboveſaid ſhall be divided betwixt the Queen and the party grieved.

IV. Judges of the Courts, where ſuch offences ſhall happen to be committed; Juſtices of Aſſiſe, Goal-delivery, and of Peace, have power to hear and determine the ſame offences.

V. This Act ſhall be proclaimed at every Aſſize.

VI. This Act ſhall not extend to any Court Eccleſiaſtical, but that they may there proceed, as in times paſt.

VII. This Act ſhall not reſtrain the power of the Star-chamber, nor of the Council of *Wales*, or in the *North*, to puniſh heinous periuries: But that they may proceed, as formerly, ſo as for the ſaid offences they inflict no leſs puniſhment, then by this Statute ordained.

Phyſitians and Surgeons.

I. Stat. 3 H. 8. 11. None in *London*, or within ſeven miles thereof, ſhall exerciſe as a Phyſitian or Surgeon, except firſt examined and admitted thereunto by the Biſhop of *London*, or Dean of *Pauls*, calling to him or them for the firſt examination, four Doctors of Phyſick, and for Surgery, other expert perſons in that faculty, and afterward of them that ſo ſhall be approved, in pain to forfeit for every moneth they exerciſe Phyſick or Surgerie not ſo examined and admitted, 5 *l.* to be divided betwixt the King and the proſecutor.

II. In other places, without the ſaid precinct of ſeven miles, none ſhall exerciſe the ſaid Profeſſions, unleſs examined and approved by the Biſhop of the Dioceſs, or (in his abſence) by his Vicar general, calling them expert men in thoſe Profeſſions, at their diſcretion,

and

and giving Letters teſtimonial under their Seal to him they ſhall ſo approve, upon the like pain, to be divided as aforeſaid.

III. This Act ſhall not extend to the Univerſities.

IV. Stat. 5 H. 8. 6. The Surgeons of *London* ſhall exempt for bearing the Office of Conſtable, or any other Office; watching, bearing of Arms, or to ſerve upon Inqueſts in *London*, ſo that their incorporation exceed not the number of 12.

V. This Act ſhall alſo extend to Barber-Surgeons approved and admitted, according to the Statute of 3 H. 8. 11.

VI. Stat. 14 H. 8. 5. The Kings Charter for the Incorporating of the Colledge of Phyſitians in *London*, (bearing date the 13. of *September*, in the tenth year of his Reign) is confirmed; the ſubſtance whereof is, as followeth.

VII. A perpetual Colledge of Phyſitians, is granted and erected in *London*, and within ſeven miles compaſs of the ſame, who ſhall have power to chuſe yearly a Preſident for the better government of the ſame, and ſhall alſo have perpetual ſucceſſion, a common Seal, and ability to purchaſe Lands, not exceeding 12 *l. per annum*: They may ſue, and be ſued; make Ordinances for the good Government of the Colledge, and of all others that practiſe Phyſick within the ſaid limits. Neither ſhall any practiſe Phyſick within that Circuit, unleſs approved under the Seal of that Colledge, in pain of 5 *l.* to be divided betwixt the King and the ſame Colledge. Likewiſe, four Phyſitians of *London* ſhall be yearly choſen to ſuperviſe the reſt; as alſo their Medicines and Receipts, ſo that ſuch as offend may be puniſhed by fines, amerciaments, impriſonment, or other due means. Laſtly, Phyſitians ſhall not be put upon Inqueſts in *London*, or elſewhere: Howbeit, theſe Letters Patents ſhall not be prejudicial to the City of *London*, nor the Liberties thereof.

VIII. There ſhall be eight of the Colledge called *Elects*, who from amongſt themſelves ſhall yearly chuſe a Preſident, and as any of the *Elects* fail, (by death, or otherwiſe) others ſhall be choſen in their places, by the ſurvivors of the ſame *Elects*.

IX. None ſhall practiſe Phyſick in the Countrey, without a teſtimonial of his ſufficiency from the Preſident, and three of the *Elects* of the ſame Colledge, unleſs he be a Graduate in one of the Univerſities.

X. Stat. 32 H. 8. 40. Phyſitians are diſcharged from keeping Watch or Ward, or bearing the Office of Conſtable, or any other Office within the City of *London*, or the Suburbs thereof.

XI. Four Phyſitians ſhall be yearly choſen by the Colledge, and ſhall have an Oath given them by the Preſident, to ſearch Apothecaries Wares, and if they ſhall find any of them faulty, ſhall call to

them the Wardens of the Mystery of Apothecaries in *London*, and cause them to be burnt, or otherwise destroyed.

XII. No Apothecary shall resist their search, in pain of 5 *l.* to be divided betwixt the King and the prosecutor.

XIII. If any of the Physitians so chosen, refuse to take his Oath, or (after being sworn) refuse to make search once in a year, he shall forfeit 40 *s.*

XIV. Any of the Company of Physitians in *London*, may also practise Surgery.

XV. Stat. 32 H. 8. 42. The Barbers and Surgeons of *London*, are made one Company, and incorporated by the name of the Masters and Governours of the Mystery and Communalty of Barbers and Surgeons of *London*, and by that name shall sue and be sued, purchase Lands, use a common Seal, and possess the Lands, which now the Communalty of Barbers of *London* do enjoy; as also all liberties and priviledges heretofore granted to either of the said Companies by E. 4. H. 7. or this present King: Also such of them as are admitted to the practice of Surgery, shall be exempt from bearing of Arms, Watches and Inquests; This Company shall likewise have the search, oversight, punishment and correction of offences committed against Barbery or Surgery, according to the Statute of 19 H. 7. 7. *which see in Corporations*: yet, here the right of all others to their lands is saved.

XVI. The Surgeons may take yearly four condemned persons for Anatomies, without any suit to the King, or other interruption for the same.

XVII. No Barber in *London*, and within 4 miles compass thereof shall use Surgery; Neither shall any Surgeon there use Barbery or shaving.

XVIII. Every Surgeon in *London* shall have a Sign at his door.

XIX. None shall be a Barber in *London*, but a Free-man of that Company.

XX. At the times heretofore accustomed, there shall be four Masters, or Governours of this Corporation chosen, *viz.* two Surgeons, and two Barbers, who shall have the search, oversight, punishment, and correction of all defaults and inconveniencies in either of those Professions within the Circuit aforesaid.

XXI. The Barber or Surgeon offending in any of the Articles, shall for every moneth so offending, forfeit 5 *l.* to be divided betwixt the King and the prosecutor.

XXII. Howbeit, the Surgeons and Barbers in *London*, shall pay Scot and Lot, as in former times. And any person may keep a Barber,

a Surgeon in his Houſe, as his Servant, notwithſtanding this Statute.

XXIII. Stat. 34,35 H.8.8. It ſhall be lawful for any perſon, having knowledge and experience of the nature of Herbs, Roots, and Waters, to practiſe & miniſter to any outward Sore, Uncom, Wound, Apoſtumation, outward ſwelling or diſeaſe, any Herb or Herbs, Ointment, Bathes, Poultes, and emplaſters, according to their knowledge of the ſaid Maladies or the like; as alſo drinks for the Stone, Strangury, or Agues, without ſuit, penalty, or loſs, the Statute of 3 H.8. 11. or any other Statute notwithſtanding.

XXIV. Stat. 1 M. *Parl.* 1. *Seſſ.* 2. *Cap.* 9. The Statute of 14 H. 8.5. is confirmed.

XXV. When the Preſident or Communalty of the Faculty of Phyſick in *London*, or others authorized (by 14 H.8.5.) to ſearch and puniſh offenders, ſhall ſend or commit any ſuch offender to any Priſon (except the *Tower*) the Warden, Goaler, or Keeper thereof ſhall receive, and there ſafely keep ſuch offender without bail, until he ſhall be thence diſcharged by the ſaid Preſident, or others authorized, as aforeſaid, in pain to forfeit double the penalty of the offender, to be recovered by an action of debt, and divided betwixt the Queen and the ſaid Preſident and Colledge.

XXVI. If the Wardens of the Apothecaries *(in this Statute, called the Wardens of the Grocers)* or one of them, do not immediately upon call, go with the Preſident, or four of the *Elects* (appointed to ſearch the Apothecaries wares, according to the Statute of 32 H.8.40.) the ſaid Preſident, or four *Elects*, ſhall do it without them, as alſo deſtroy ſuch wares as they ſhall find faulty: and none ſhall reſiſt ſuch ſearch, in pain of 10 *l.* to be recovered in form aforeſaid.

XXVII. Juſtices of Peace, Mayors, Sheriffs, Bailiffs, Conſtables, and other Officers, ſhall aſſiſt the ſaid Preſident, and all perſons authoriſed by the ſaid Colledge, for the due execution of the ſaid Laws and Statutes, in pain to run in contempt of the Queen, her Heirs and Succeſſors.

☞ Plague.

1. Stat. 1 *Jac.* 31. The Mayor, Bailiffs, Head-Officers, and Juſtices of Peace in a Corporation: or any two of them have power to tax the Inhabitants there towards the relief of ſuch as are infected with the plague, and to make warrant under their Hands and Seals, for any perſon to levy the ſaid Tax, upon the goods of ſuch as ſhall refuſe or neglect to pay the ſame; and in caſe no goods can be found

to satisfie the Tax (upon the parties refusal thereof) to commit him to prison, there to remain untill the Tax be satisfied.

II. If the Corporation be not able to relieve the persons infected upon Certificate thereof to the Justices of Peace of the County thereunto adjoyning, or any two of them, by the said Officers and Justices of the Town, or any two of them, the said Justices of the County shall have like power to tax, levy, and imprison, as aforesaid, within five miles distance of the said Corporation.

III. In Towns and places Corporate, where there are no Justices, and in the Countrey, two Justices of Peace of the County shall tax, levy, and imprison, as aforesaid, within five miles distance of the Town or place so infected.

IV. These Taxes shall be certified in at the next Quarter Sessions of the Corporation or County respectively, and shall there be ordered, as by the Justices there, or the more part of them shall be thought fit.

V. The Constable, or other Officer, which wilfully neglects to levy the tax upon a Warrant, as aforesaid, shall forfeit for every such default, 10 *s.* to be imployed upon the charitable uses aforesaid.

VI. If any infected person residing in an infected house (after commanded by a Justice or other Officer,) presume to come forth, the Watch-men may resist him, and if any hurt happen thereupon, the Watch-men shall not be impeached therefore.

VII. If any person having a sore upon him go abroad, and converse in Company, he shall suffer as a Felon; but if he have no sore, he shall be only punished as a vagabond, according to the Statute of 39 *El.* 4. *which see in Vagabonds.*

VIII. No Attainder of Felony by vertue of this Act, shall extend to corruption of blood, or forfeiture of goods or lands.

IX. It shall be lawful for the Justices of Peace, and Head-Officers to appoint searchers, watch-men, examiners, keepers and buriers, and to minister unto them Oaths for the due performance of their Offices, and to give them other directions, as in their discretion shall be thought fit.

X. Justices of Peace, or head-officers, shall not (by force of this Act) meddle in the Universities, Cathedral Churches, or Colledges.

☞ Playes and Games.

* I. Stat. 33 H. 8. 9. Parents and Masters shall provide for each of their sons and male-servants, (betwixt the age of 7 & 17)

a bow and two ſhafts, and cauſe them to exerciſe ſhooting, in pain of 6. s. 8. d.

II. Sons and male-ſervants (betwixt the ages of 17 and 60) ſhall be furniſhed with a Bow and two Arrows, and practiſe ſhooting therewith, in pain of 6 s. 8. d.

III. None under the age of 24 years, ſhall ſhoot at any ſtanding mark, (except at rovers, changing his mark every ſhot) in pain of 4. d. a ſhoot, and none above the age, ſhall ſhoot at any mark of 11. ſcore diſtance, or under, in pain of 6. s. 8. d.

IV. None under the age of 17 years, ſhall ſhoot with a Bow of *Ewe*, except his parents be worth 10 *l. per annum* in lands, or 40. marks in goods, in pain of 6 s. 8 *d.* a ſhoot.

V. The inhabitants of every Town, ſhall continue their Buts in good repair, in pain of 20 s. for every 5 moneths default.

VI. For every Bow made of *Ewe*, the Bowyer not inhabiting *London*, or the Suburbs thereof, ſhall make four, and the inhabitant there, two Bows of other wood, in pain to forfeit for every ſuch Bow un-made, 3. s. 4. d.

VII. Fletchers of *London*, ſhall ſell ſeaſonable Timber to foreign Fletchers without prejudice.

VIII. Artificers of Archery (not freemen, nor paying ſcot and lot) ſhall remove their abode from *London*, and the Suburbs thereof, to what other place they ſhall be aſſigned by his Majeſties Council, the Lord Chancellor, Treaſurer, Privy Seal, or one of them, in pain of 40 s. for every day they make their abode contrary to this Act.

IX. Aliens ſhall not convey Bows and Arrows out of the Realm without his Majeſties licenſe, in pain of impriſonment without bail, untill they ſhall make fine to the King, to be ſet by (at leaſt) two Juſtices in Seſſions, and give ſecurity for the ſame; neither ſhall they uſe ſhooting, in pain to forfeit their Bows and Arrows to be taken from them by any of the Kings Subjects.

X. Juſtices of Aſſiſe, Goal-delivery, and Peace, in Seſſions, and Stewards in Leets, ſhall hear and determin the breaches of this Act.

XI. The one moiety of all theſe forfeitures is given to the proſecutor, and the other, where there is no Leet, is given to the King; and where there is a Leet, to the Lord of that Leet.

XII. None ſhall keep or maintain any houſe or place of unlawful Games, in pain of 40 s. and none ſhall uſe or haunt ſuch places, in pain of 6 s. 8 d.

XIII. In every Placard to keep common Gaming, the Games meant to be uſed, ſhall be inſerted; as alſo the perſons, who ſhall play thereat, and every Placard otherwiſe granted, ſhall be void: The

Grantee

Grantee also of such a Placard shall be bound by Recognizance in the *Chancery* with good sureties, not to use it contrary to the form thereof.

XIV. It shall be lawful for Justices of Peace in every County, and for Head-Officers in Corporations, as well within the Liberties as without, to enter and resort into all such houses and places where such unlawful Games are suspected to be used, and as well the keepers thereof, as the resorters thereunto, to arrest and imprison untill they shall severally give good security, at the discretion of the said Justices or Officers, not to keep such Games any more.

XV. Every Mayor, Sheriff, Bailiff, Constable, and other Head-Officer within every City, Borough or Town shall make due search, as aforesaid, once every moneth, at least, in pain to forfeit 48 s. for every such default.

XVI. No Artificer, or his Journey-man, no Husband-man, Apprentice, Labourer, Servant at Husbandry, Mariner, Fishermen, Water-men, or Serving-man, shall play at Tables, Tenis, Dice, Cards, Bowls, Clash, Coyting, Logating, or any other unlawful Game out of *Christmas*, or then out of their Masters house, or presence, in pain of 20 s. And none shall play at Bowls in open places out of his Garden or Orchard, in pain of 6 s. 8 d.

XVII. All informations or suits upon this Statute shall be prosecuted within one year, and the forfeitures thereof, which happen within a Leet or Liberty, shall be divided betwixt the King and the Lord thereof, and in all other places, betwixt the King and the prosecutor.

XVIII. Proclamation of this Act shall be made Quarterly in every Market Town, as also at every Goal delivery, Assize and Session.

XIX. This Act shall not restrain a Servant (by his Masters license) to play at Cards, Dice, or Tables, with the Master himself, or other Gentlemen resorting to his Masters house: And if the Master hath free-hold of 100 *l. per annum*, he may also license his Servant to play at Bowls or Tenis.

XX. **Stat.** 2, 3 *P. M.* 9. All Licenses to keep houses or places of unlawfull Games shall be void.

XXI. **Stat.** 16 *Car.* 2. ca. 5. If any person of what degree or quality soever after the 29th of *Sept.* 1664 shall by any fraud, shift, cousenage, circumvention, deceit, or unlawful device, or ill practice whatsoever, in playing at or with Cards, Dice, Tables, Tennis, Bowls, Kittles, Shovel-board; or in or by Cock-fightings, Horse-races,

races, Dog-matches, or Foot races, or other Paſtimes, Game or Games whatſoever, or in or by bearing a ſhare or part in the ſtakes, wager, or adventures; or by betting on the ſides, or hands of ſuch as do, or ſhall play, act, ride, or run as aforeſaid, win, obtain, or acquire to him or themſelves, or any other or others, any ſum or ſums of money or other valuable thing or things whatſoever, every perſon ſo offending, ſhall forfeit the treble value of the money or things ſo won, gained, obtained, or required: One moiety to the King, the other moiety to the perſon grieved, or who ſhall loſe the ſame: ſo as ſuch perſon proſecute within ſix months next after ſuch play. And in default of ſuch proſecution, then the ſame other moiety, to ſuch other perſon as ſhall proſecute within one year next after the ſaid ſix moneths expired: And every ſuch Plaintiff or Informer ſhall alſo recover treble Coſts againſt the perſon offending as aforeſaid.

And for avoiding exceſſive and immoderate playing and gaming, If any perſon ſhall after the ſaid 29. *Sept.* 1664. play at any of the ſaid games, or any other paſtime or game whatſoever, (other then for ready money) or ſhall bett on the ſides or hands of ſuch as do, or ſhall play thereat, and ſhall loſe any ſum of money, or other thing or things ſo playd for exceeding the ſum of 100 *l.* at any one time or meeting, upon ticket, or credit, or otherwiſe, and ſhall not pay down the ſame, at the time when he or they ſhall loſe the ſame, the party or parties, who loſeth or ſhall loſe the ſaid moneys, or other thing ſo plaid for, above the ſaid ſum of 100 *l.* ſhall not be bound or compelled or compellable to pay or make good the ſame: but all contracts, ſecurities and aſſurances for the ſame ſhall be void. And the perſon ſo winning the ſaid moneys, or other things, ſhall forfeit treble the value of all ſuch ſums of money, or other things ſo won, gained, obtained or acquired, above the ſaid ſum of 100 *l*, the one moiety to the King, the other to the party that ſhall ſue for the ſame within one year next after the offence committed, in any Court of *Weſtminſter*, and treble Coſts.

☞ Playes.

1. Stat. 3 *Jac.* 21. None ſhall in any Stage-play, Shew, maygame or Pageant, profanely uſe the Name of God, Chriſt Jeſus, the Holy Ghoſt, or Trinity, in pain of 10 *l.* to be divided betwixt the King and the proſecutor.

Pleading

Pleading and Pleaders.

I. Stat. 36 E. 3. 15. All pleas which shall be pleaded in any Court whatsoever within the Realm, shall be pleaded, shewed, depended, answered, debated, and judged in the *English* tongue, but entred and enrolled in Latine: Howbeit, the Laws and customs of this Realm; as also the Terms and Processes shall be holden and kept, as before this time hath been used.

☞ Pleas of the Crown.

I. Magna Carta, 17. 9 H. 3. No Sheriff, Constable, Escheator, Botoner, or any other of our Bailiffs, shall hold pleas of the Crown.

Plumstead-Marsh.

I. Divers Statutes have been made for the Inning and saving of *Plumstead*-Marsh, *viz.* 22 H. 8. 3. 14 *Eliz.* not printed, 23 E. 13. and 27 E. 27. *See them at large.*

☞ Poor People.

I. Stat. 11 H. 7. 12. Every poor person, having cause of action, shall have original Writs, and *Subpœnaes gratis*; also the Judge or Judges of the Court where the suit depends, shall assign him Council and Attorney, who are thereby enjoyned to dispatch his business without fees.

II. Stat. 43 El. 2. The Church-warden of every Parish, and four, three, or two housholders there (according to the greatness of the Parish) to be nominated yearly in *Easter-week*, or within one moneth after, under the hands and seals of two Justices of Peace, (1. *Qu.*) shall be called Overseers of the poor for the same Parish.

☞ III. These Overseers or a greater part of them, shall take order (with the consent of two such Justices) for the setting of poor people to work, and for raising (by taxation) a convenient stock to work upon, to relieve impotent persons, to put forth Apprentices, and to perform all other things concerning the premises.

IV. These Officers, or such of them as shall not be let by some just excuse (to be allowed by two such Justices) shall meet monethly

ly in the Church upon Sunday after Evening-prayer, and there conſider of ſome meet direction in the premiſes; and ſhall within four dayes after the end of their year, and other Overſeers nominated, yield up a true accompt to ſuch two Juſtices, pay the ſurpluſage thereof to their ſucceſſors, and uſe all poſſible diligence in their Office, in pain to forfeit for every ſuch default, 20 s.

V. Where the Inhabitants of any Pariſh are not able to relieve themſelves, two ſuch Juſtices may tax other Pariſhes and places, and the whole Hundred alſo (if need require) and where the whole Hundred is not able, Juſtices of Peace in Seſſions may tax the County in part, or wholly, at their diſcretions.

VI. It ſhall be lawfull for the ſaid Officers upon warrant from two ſuch Juſtices, to levy ſuch tax or ſurpluſage by diſtreſs and ſale of goods, and in default of diſtreſs, two of the ſaid Juſtices have power to commit the party to priſon, there to remain without bail, until it be diſcharged, and alſo to commit perſons, which refuſe to work, to the Houſe of correction.

VII. The ſaid Officers, or the greater part of them, with the aſſent of two Juſtices of Peace, may bind poor children Apprentices, viz. a man-child till 24 years of age, and a woman-child till 21. years, or marriage.

VIII. The ſaid Officers ſhall (with the conſent of the Lord of the Manor firſt obtained in writing under his hand and ſeal) either of themſelves, or by vertue of a Seſſions-order erect Cottages upon the waſte, and lodge In-mates therein, notwithſtanding the Statute of 31 *El.* 7. But thoſe Cottages ſhall not be afterwards otherwiſe imployed than to lodge impotent perſons therein, upon the pains mentioned in the ſaid Statute of 31 El.

IX. Juſtices of Peace in Seſſions, ſhall rectifie unjuſt taxes, whoſe order therein, ſhall be binding to all parties.

X. The Father, Grand-father, Mother, Grand-mother, and children of every poor perſon, ſhall be aſſeſſed towards their relief, as the Juſtices of Peace in Seſſions of the County where ſuch Father, *&c.* dwells, ſhall limit and appoint, in pain to forfeit 20 s. a moneth.

XI. Officers in Corporate Towns, and Aldermen of *London*, have in their ſeveral precincts like authority that Juſtices of peace have in the Counties, which ſaid Juſtices are not to intermeddle in Corporations for the execution of this Law.

XII. When one Pariſh extends into ſeveral Counties or Liberties, the Juſtices or Head-Officers ſhall only intermeddle within their reſpectives; but the Church-wardens and Overſeers ſhall have limits

mixt

mixt jurisdiction, and shall tender accompt, (as aforesaid) to Justices or Head Officers of both places.

XIII. If it happen Overseers not to be appointed according to this Statute, every Justice of Peace or Head-Officer of that division or Corporation, shall forfeit 5 *l.* to be levied by a Sessions Warrant, and imployed to the use of the poor of the Parishes where such default is made.

XIV. The forfeiture of this Statute, shall be imployed to the use of the poor, and levied by distress and commitment, as aforesaid.

XV. Justices of peace of every County and Corporation, or the most part of them, at *Easter* Session, shall yearly (or as often as they shall think fit) rate every Parish at a certain sum, to be paid weekly, but so as no Parish may pay more than six pence, not less than a half peny, and (one Parish being considered with another) not above two pence, through the whole County or Corporation; which sum so rated, the Churchwardens and Constable of every Parish, or any of them (or in their default a Justice of Peace) have power to assess and levy by distress, sale and commitment, as aforesaid.

XVI. Justices of Peace shall then likewise rate every Parish towards the relief of the Kings Bench and Marshalsey, and also of Hospitals and Alms-houses, scituate within their several jurisdictions, appointing only so much to the said Hospitals and Alms-houses, that the Kings Bench and Marshalsey may each of them receive at least 20 *s.* yearly out of every County: And the sums thus to be assessed upon every Parish, the Churchwardens there shall collect and levy as before, and pay them over quarterly to the High Constable of that respective division, ten dayes before every Quarter-Sessions, and the High Constables shall every Quarter Sessions, pay the same over to the two Treasurers of the County, or one of them to be yearly chosen by the more part of the Justices of Peace, out of such Subsidy-men as were taxed in the last tax of Subsidies at 5 *l.* lands, or 10 *l.* goods; Which Treasurers so chosen, shall yearly at *Easter-Sessions*, render a true accompt to their successors, and pay the moneys in their hands, to the Lord chief Justice of the Kings Bench, and the Knight-Marshall by equal portions. And here the Churchwarden, or his Executors, *&c.* which fails in payment to the High Constable, shall forfeit 10 *s.* and the High Constable, or his Executors, *&c.* which fails in payment to the Treasurers, shall forfeit 20 *s.* to be levied and imployed by the said Treasurer as aforesaid.

XVII. The Stock of every County shall be ordered and disposed to

to charitable uſes, as the Juſtices, or the more part of them ſhall think convenient.

XVIII. The Treaſurer that refuſeth to execute his Office, to diſtribute relief, or to accompt, as the moſt part of the Juſtices ſhall direct, ſhall be fined by the ſame Juſtices, or (in their default) by the Judges of Aſſiſe, three pounds at leaſt, which fine ſhall be levied by ſale of goods, upon the proſecution of any two Juſtices authoriſed by the reſt.

XIX. A proviſion for the Iſlands of *Fowleſſe* in *Eſſex*.

XX. Upon an Action brought for the due execution of this Act, the Defendant may plead the general iſſue, and yet give ſpecial matter in evidence; and ſhall alſo recover treble damages, and his coſts of ſuit.

XXI. 39 Eliz. 7. *Jac.* 3. Money given to put out poor children Apprentices, ſhall be imployed in Corporate Towns by the Corporations, and in other places by the Parſon, or Vicar, together with the Conſtables, Churchwardens, and Overſeers of the poor, or the moſt part of them, who ſhall not forbear or refuſe to imploy the ſame accordingly, in pain to forfeit five Marks each of them ſo making default, to be divided betwixt the poor of the Pariſh and the proſecutor.

XXII. The party taking money with ſuch an Apprentice, ſhall give good Security by Obligation, to repay it at the end of ſeven years next enſuing the date of the ſaid Obligation, or within three months next after the end of the ſaid ſeven years; and if ſuch Apprentice ſhall die within the ſeven years, then within one year after his or her death: and if the Maſter, Miſtris, or Dame, happen to die within the ſeven years, then within one year after their death, ſo as the money may be employed in placing the Apprentice with ſome other of the ſame Trade, to ſerve out his time, at the diſcretion of the parties truſted, as aforeſaid.

XXIII. The money ſo given ſhall be employed within three months after the receipt thereof, and if there ſhall not be apt perſons found in the places where it is given, to be Apprentices, it ſhall be employed in the Pariſhes next adjoyning by the parties that are truſted with it in the places where it was ſo given, and there the ſame ſhall be taken, as before is declared.

XXIV. The choice of Apprentices ſhall be out of the pooreſt ſort of children, whoſe Parents are the leaſt able to relieve them, and no ſuch Apprentice ſhall be above the age of 15 years, when he or ſhe ſhall be bound.

XXV. The parties ſo truſted, ſhall yearly in *Eaſter-week*, within one moneth after account before two or more of the next Juſtices of Peace. And if there be any Obligations, or money remaining in their hands, they ſhall upon ſuch account (or within ten dayes after) deliver the ſame unto their ſucceſſors.

XXVI. If any Officer ſo truſted, ſhall break the truſt repoſed in him, miſ-imploy the ſaid money, or do any thing contrary to this Act, for which he cannot be puniſhed by this Act, the Lord Chancellor or Keeper ſhall, upon the petition of any perſon, award a Commiſſion to ſuch, as he ſhall think fit, to enquire, hear, and determine ſuch offences; and if the Commiſſioners ſhall find money ſo miſ-imployed, they ſhall, in places not Corporate, have power to rate, raiſe, and collect it upon the parties ſo offending; or otherwiſe, upon the able Inhabitants of the City, Town, or Pariſh ſo in default as the ſaid Commiſſioners, or the greateſt part of them, ſhall think fit, and ſhall return the ſaid Commiſſion, together with the manner of executing the ſame, into the Chancery within three moneths after ſuch execution thereof.

XXVII. Stat. 1 *Jac.* 25. All perſons, to whom the Overſeers of the poor (ſhall according to the Statute of 43 *El.* 2.) bind any poor children Apprentices, may take, receive, and keep them as Apprentices: *See alſo the ſame continued and confirmed by* 21 Jac. 28. and 3 *Car.* 4.

XXVIII. Stat. 3 *Car.* 4. The aforeſaid Statute of 1 *Jac.* 25. is again continued and confirmed.

XXIX. The Churchwardens and Overſeers of the poor (mentioned in the Statute of 43 El. 2.) may with the conſent of two or more Juſtices of the Peace, one of the Quorum, within their reſpective limits, wherein there ſhall be more Juſtices of Peace then one, and where no more ſhall be then one, with the aſſent of that one Juſtice ſet up, uſe, and occupy any Trade, Myſtery, or Occupation, and for the ſetting on work and better relief of the poor of the Pariſh or place where they ſo bear office reſpectively.

XXX. Stat. For relief of poor Souldiers: *See Title, Captains and Souldiers*, Numb. LXVII.

XXXI. Stat. 14 *Car.* 2. cap. 12. Upon complaint made by the Church wardens, or Overſeers of the poor of any pariſh, to any Juſtice of the Peace within 40 days after any perſons coming to inhabit in any Tenement under the yearly value of 10 l. Any two Juſtices of the Peace, whereof one of the Quorum, may by Warrant remove ſuch perſons to ſuch Pariſh where they were laſt ſetled, whether as a Native, Houſholder, Sojourner, Apprentice, or Servant,

the ſpace of 40 days, unleſs they give ſecurity to diſcharge the Pariſh, to be allowed by the ſaid Juſtices; provided, perſons grieved may appeal to the next Quarter-Seſſions.

XXXII. Provided all perſons may go from place to place to work in Harveſt, carrying with them Certificates from the Miniſter, one Church-warden, and one of the Overſeers of the poor of the place where they inhabit; and ſuch working in Harveſt, or falling ſick, ſhall not be accounted a ſettlement; and if ſuch perſons refuſe to go, and ſhall not remain in the pariſh where they ought to be ſetled, any two Juſtices of the Peace where the offence is committed, may ſend them to the houſe of Correction as Vagabonds, or to the publick Work-houſe, there to labour.

XXXIII. There ſhall be one or more Corporations in *London* and *Weſtminſter*, the Counties of *Middleſex* and *Surry*, lying within the Pariſhes in the Weekly Bills of Mortality, conſiſting of a Preſident, Deputy-Preſident, and Treaſurer; and the Lord Mayor, Preſident, and Aldermen to be Aſſiſtants of the Corporation, or Work-houſes of *London*, and 52 Citizens to be choſen by the Common-council of the ſaid City, who may elect a Deputy-Preſident, and Treaſurer, and other Officers, for execution of this Act.

XXXIV. A Preſident, and Deputy-Preſident, and Treaſurer, and Aſſiſtants for the City of *Weſtminſter*, to be choſen by the Lord-Chancellor, or Lord-Keeper.

XXXV. If Juſtices of the Peace of *Middleſex* and *Surry* reſpectively, in their Quarter-Seſſions, may chuſe Preſidents, Deputy-Preſidents, Treaſurer, and Aſſiſtants for their reſpective Corporations and Work-houſes: And the Officers to give accounts in writing at every Quarter-Seſſions.

XXXVI. The ſaid reſpective Preſidents, &c. Incorporated, and may ſue, plead, or be ſued, by the name of Preſident and Governors of the poor, of the ſaid reſpective places; and every of the ſaid Corporations may purchaſe or have Lands not exceeding the value of 3000 *l. per annum* without Licence.

XXXVII. The ſaid reſpective Corporations, or any 7 of them, have power to meet and keep Courts for the purpoſes in this Act expreſſed, at ſuch time and place, as the Preſident, his Deputy, or the Treaſurer ſhall appoint, who are to warn a Court at the deſire of any four of the ſaid Corporation, and have power to appoint a common Seal for the uſe of the ſaid Corporation.

XXXVIII. The reſpective Preſidents and Governors of the ſaid Corporations, or two of them, or any perſon appointed, may apprehend Rogues, Vagrants, ſturdy beggars, or idle and diſorderly perſons

sons, within their respective limits and places, and cause them to be set and kept to work, and the Justices of the Peace in their Quarter-Sessions, may signify the names of such Rogues, Vagrants, &c. to the King's Privy Council, as they shall think fit to be transported to *English* Plantations; upon approbation of which to the said Justices signified, any 2 of the said Justices may cause them to be transported from time to time during the space of three years next ensuing the end of this present Session of Parliament, to any *English* Plantation beyond Sea, there to be disposed as servants, for a term not exceeding 7 years.

XXXIX. Upon certificate from the respective Corporations of want of stock, to the City of *London*, The Common-council of the said City, and respective Justices at the Sessions, may ascertain a sum not exceeding a rate of one years proportion to the poor. And thereupon the Aldermen, Deputies and Common-council-men of every Ward in *London*, and the Burgesses and Justices of the Peace in *Westminster*, and Justices of the Peace in *Middlesex* and *Surrey*, shall equally rate the Inhabitants, at and upon complaint by any person of being unequally rated, he may be relieved at the next Quarter-Sessions.

XL. Any Alderman of *London*, or his Deputy, or the Burgesses and Justices of the Peace of the City of *Westminster*, and Liberties thereof, or any two Justices of Peace of *Middlesex* and *Surrey*, by Warrant under their hands and Seals, may authorize the Church-wardens, or Overseers for the poor, to demand and gather the several sums assessed: and for default of payment within 10 days after demand, or notice left in writing at the dwelling house or lodging of the persons assessed to levy the same by Distress and Sale of their goods, restoring the over-plus to the party distreined.

XLI. All stocks formerly raised for the poor, and in the hands of a Corporation for the poor in *London*, shall be paid to the Treasurers of the said Corporation made by this Act; and all that have any stocks or Lands in their hands for that purpose, shall be accountable to the said Treasurers, or such as shall be appointed by them, or any 7 of them; Provided all just expences be allowed them.

XLII. The respective Presidents and Governors, or 7 of them may make Orders and By-Laws, for relieving, regulating, and setting the poor to work, apprehending and punishing Rogues and Vagabonds within their several limits, Provided the said By-Laws be presented to, and confirmed by the Justices of the Peace at their Quarter-Sessions.

XLIII. The President and Governors, or any 14 of them, may choose and entertain Officers and others needfull to be imployed about

the ſtock or revenue belonging to the Corporation; And all Sheriffs and Officers to be aiding to them in the execution of the powers by this Act.

XLIV. Two Juſtices of the Peace may appoint and ſwear new Conſtables, Headboroughs, &c. in caſe of death or removal of ſuch Officers out of the Pariſh; and if for want of holding Leets, they continue above the year, they may be diſcharged at the Seſſions, and others put in.

XLV. Every Juſtice of Peace may reward any perſons that apprehend and bring before them any Rogue, Vagabond, or ſturdy beggar, by granting an Order or Warrant under his hand and Seal to the Conſtable of the Pariſh which ſuch Rogue, &c. paſſed through unapprehended, for payment of 2s. for every Rogue ſo apprehended, and upon default of payment, to proceed againſt ſuch defaulter according to the Statute, 1 *Jac. cap.* 7. and to allow out of the ſaid Forfeiture the ſaid 2s. and allowance for loſs of time, as they ſhall think fit.

XLVI. If any perſon ſhall apprehend a Rogue, Vagabond, or ſturdy Beggar at the confines of any County, which paſſed through another County unapprehended, he may go to ſome Juſtice of the Peace of the County, through which ſuch Rogue or Vagabond paſſed unapprehended, who (upon certificate under the hand of ſome Juſtice of the Peace of the County where ſuch Rogue was apprehended) ſhall grant his order or warrant under his hand and ſeal, to the Conſtable, to pay unto ſuch perſons 2 s. and what he thinks fit for expences and loſs of time, and upon refuſal, to proceed againſt ſuch Conſtable for the forfeitures by the Statute of 39 *El. cap.* 4.

XLVII. Conſtables, Headboroughs, and Tythingmen out of purſe, with the Church-wardens and Overſeers of the poor, and other Inhabitants of the Pariſh, may make rates upon all occupiers of lands, and Inhabitants, and all others chargable by the Statute 42 *E.* to the poor, which being confirmed under the hands and ſeals of two Juſtices of the Peace, may be levied by their warrant, by diſtreſs and ſale of the refuſers goods.

XLVIII. Putative fathers of Baſtard children, leaving their children upon the Pariſh oftentimes, the Churchwardens and Overſeers for the poor of the ſaid pariſh where the child is born may ſeiſe and take ſo much of the goods and chattels, and of the rents and profits of the lands of ſuch reputed fathers or mothers, as ſhall be ordered by two Juſtices of the Peace, for and towards diſcharge of the Pariſh, for providing for ſuch baſtard; and by order of the Seſſions, may ſell the ſaid goods, or ſo much thereof as the Court ſhall think fit,

&c. and ſo much of the rents and profits of the lands for the ſaid purpoſes.

XLIX. The Defendant ſued for any thing done upon this Act may plead the general Iſſue, and upon Verdict for him, Nonſuit, or Diſcontinuance, ſhall recover treble damages.

L. The poor of the Counties of *Lancaſhire*, *Cheſhire*, *Derby-ſhire*, *York-ſhire*, *Durham*, *Cumberland*, and *Weſtmerland*, and other Counties of *England* and *Wales*, ſhall be maintained, and ſet on work within their reſpective Counties, according to the intent of this Act, and in caſe of default, the ſeveral penalties herein to be incurred: And the Juſtices of the Peace in the ſaid Counties may execute all powers there, under the like penalties as in the Statute of 43. *El.* cap. 2. to be levied as therein mentioned.

LI. Proviſo, impowring the Juſtices of the Peace in their Quarter-Seſſions, to tranſport convicted Rogues, Vagabonds, and ſturdy Beggars, to *Engliſh* plantations beyond the Seas.

LII. Proviſo, for ſaving the Franchiſes and Liberties of the Dean and Chapter of *Weſtminſter*, and this Act, as to all matters (except what relates to the Corporations) to continue till the end of the firſt Seſſion of the Parliament after the 29th of *May* 1665. and no longer.

Poſt Office.

I. Stat. 12 *Car.* 2. cap. 34. A Poſt-Office for the carriage of Letters, and providing poſt horſes, erected in *London*, the Maſter whereof to be appointed by the Kings Letters Patents under the Great Seal, and the rates for carrying Letters aſcertained, as well Inland, as beyond Sea.

II. Poſtmaſters not providing ſufficient horſes for ſuch as have occaſion forfeit 5 l. for every offence, one moyety to the King, the other moyety to the party that will ſue for the ſame in any of the Kings Courts of Record.

III. No horſes to be ſeiſed, or uſed for any ſervice within the ſaid Act, without conſent of the owners.

IV. Stat. 15 *Car.* 2. cap. 14. *Stat.* 3. The profits of the ſaid Poſt Office, and power of granting Wine-Licenſes ſetled on the Duke of *York*, and the heirs Males of his body.

☞ *Prerogativa Regis.*

Weſt. 1. 48. 3. E. 1. Foraſmuch as the King hath ordained

theſe things, viz. this Statute of *noſtr.* 1. for the honour of God and the Church, and for the Common-wealth, and for remedy of ſuch as are grieved, he would not, that at any other time it ſhould turn in prejudice of him, or of his Crown, but that ſuch right as appertain to him ſhould be ſaved in all points.

Preſident of the Council.

I. Stat. 21 H. 8. 20. *Pars inde.* The Preſident of the Kings Council (if he be preſent) may aſſociate the Lord Chancellor, Treaſurer and Privy Seal, at naming of Sheriffs, ſetting of prizes of Wines, and at all other Acts limited (by any Statute) to be done by the ſaid Chancellor and Treaſurer, or Keeper of the Privy Seal.

Primer Seiſin.

I. Prerog. Reg. 3. 17. E. 2. The King ſhall have *Primer ſeiſin* after the death of his Tenant in chief, of all the lands whereof he dyed ſeiſed in Demeſne as of Fee, of what age ſoever the Heir be, taking the iſſues of the ſame lands, until inquiſition be made, and he have taken homage of ſuch heir.

Printing. *See* Books, *&c. Per tot.*

☞ Priſon, Priſoners; Goal, Goalers.

I. Stat. 1 E. 3. *Stat.* 1. 7. The Juſtices of either Bench, Aſſize, and Goal-delivery, ſhall hear and determine all plaints made againſt Sheriffs, and Goalers, who ſhall compel or procure priſoners to become approvers, *viz.* to accuſe others.

II. Stat. 5 E. 3. 8. Endictees and Appellees in the Kings Bench ſhall be ſafely kept in Priſon by the Marſhals there, and not ſuffered to go at large, according to the charge given them by the Juſtices; and if any complain thereof, the Juſtices ſhall do him right during the Term.

III. At the end of every Term, the Marſhals ſhall acquaint the Juſtices, in what Town they will keep ſuch Priſoners, and ſhall there allow them houſes at their own charge.

IV. The Marſhals, who ſuffer any ſuch priſoner to go at large, ſhall ſuffer half a years Impriſonment, and be ranſomed at the Kings

will, which the Juſtices ſhall have power to enquire of, when they ſee time.

V. The proceedings againſt Marſhals, ſhall be within the Verge, and if the Marſhalls ſuffer any to eſcape, they ſhall be proceeded againſt according to Law: howbeit, the King intended not by this Statute to loſe the eſcape, where he ought to have it.

VI. Stat. 14 E. 3. *Stat.* 1. 10. Goals which were wont to be in the Sheriff's cuſtody, ſhall be again rejoyned to their Bayliwicks, and they ſhall put in ſuch keepers for whom they will anſwer.

VII. The Goaler which by *dures* compells a priſoner to become an approver, ſhall have judgement of life and member.

VIII. Stat. 13 R. 1. 15. The Kings Caſtles and Goals, which were wont to be joyned to the bodies of the Counties, and be now ſevered, ſhall be rejoyned to the ſame.

IX. Stat. 5 H. 5. 10. Juſtices of Peace ſhall impriſon none but in the common Goal; ſaving to Lords and others (who have Goals) their Franchiſe in this caſe.

X. Stat. 19 H. 7. 10. The Sheriff of every County ſhall have the keeping of the common Goal there, except ſuch as hold any by inheritance or ſucceſſion; alſo all Letters Patents of the keeping of Goals for life or years, are annulled and void, howbeit the Kings Bench, nor Marſhalſey ſhall be in the cuſtody of any Sheriff, and the Patents of *Edmund Courtney*, Earl of *Devon*. and *John Morgan* for keeping of Priſons, are excepted.

XI. Stat. 6 H. 8. 6. The Juſtices of the Kings Bench have power, (by their diſcretions) to remand, as well the bodies of Felons, as their Indictments, into the Counties where ſuch Felonies were committed: And alſo to command the Juſtices of Goal-delivery, of Peace, and all other Juſtices and Commiſſioners there to proceed and determine ſuch Felonies, in like manner, as if their bodies and Indictments had not been removed.

XII. Stat. 23 H. 8. 2. The Juſtices of Peace in *Eſſex*, *Suffolk*, *Dorſet*, *Suſſex*, *Surry*, *Nottingham*, *Glocester*, *Bedford*, *Buckingham*, *Huntington*, *Wilts*, *Kent*, *Warwick*, *Staff.* *Oxon*, *Leic.* *Rutl.* *Lin.* *Hereſ.* *North.* *Salop.* *Norf.* *Cornwal.* and *Derby*, or the greater part of them, in their reſpective Counties, have power within one year, to appoint the Towns and places within their reſpective limits, where common Goals may be edified, and to tax the ſeveral Counties for building and furniſhing the ſame: Howbeit, this tax was not to extend to corporate Towns, having Juſtices and Common Goals of their own.

XIII. Felons ſhall be committed to the ſaid common Goals, and

not elſewhere; and the Sheriffs ſhall have the Cuſtody thereof, and ſhall be allowed in their accounts (by the Barons of the Exchequer) the moneys expended by them in repair of the ſame, without any Bill or Warrant of the King to be ſhewed in that behalf.

XIV. This Act ſhall not prejudice any perſon having a common Goal by inheritance, or for life or years.

XV. Stat. 5 *El.* 25. The Statute of 23 *H.* 8. 2. is continued for 10 years, and ſhall extend to the Counties of *Pembroke*, *Glam. Cardig. Radnor*, and *Mountgomery*.

XVI. 13 *El.* 25. The Statute of 23 *H.* 8. 2. and 5 *El.* 24. ſhall extend to the County of *Cambridge*, and the ſaid Acts ſhall continue in force 10 years after the 10 years of continuance, mentioned in 5 *El.* 24.

XVII. Stat. 24 *El.* Juſtices of Peace in Seſſions, or the more part of them, have power to tax every Pariſh in the County (but not above 6*d.* or 8*a.* a piece) towards the relief of priſoners, which tax the Church-wardens of every Pariſh ſhall levy every Sunday, and pay it in quarterly to the High Conſtable, or (in a Corporation) to the Head Officer; and the High-Conſtable, or Head Officer ſhall pay the ſame at every Quarter-Seſſion, to the Collectors thereof, to be appointed by the ſaid Juſtices, who ſhall diſtribute it weekly to the ſaid priſoners.

XVIII. The Church-wardens, High Conſtables, Head Officers or Collectors aforeſaid, which herein ſhall be found negligent, ſhall forfeit 5 *l.* to be divided betwixt the Queen and the priſoners.

XIX. Juſtices of Peace within the County ſhall not intermeddle with a Corporation for the execution of this Act: But onely the Mayor and Head Officers of the ſame.

XX. Stat. 3 *Jac.* 10. An offender, which is to be conveyed to the Goal, ſhall bear all charges, both of himſelf, and of thoſe that guard him.

XXI. If he refuſe ſo to do, upon a Warrant from a Juſtice of Peace, the Conſtable of the Town-ſhip, where he hath any goods (being within the ſame County) may ſell ſo much thereof, as in the diſcretion of the ſaid Juſtices ſhall be thought ſufficient to ſatisfie the ſaid charges; the appraiſement thereof to be made by the neighbours there, and the overplus to be rendred to the ſaid offender.

XXII. If the offender hath no goods to ſatisfie the charges, the Conſtables, Church-wardens, and two or three other honeſt inhabitants, or, in caſe there be no ſuch Officers there, four of the Principal Inhabitants of the Pariſh, where he was taken, ſhall make

a tax

tax, according to which, (being allowed under the hand of a Juſtice of Peace) every inhabitant ſhall pay the ſaid charges; And upon refuſal (by Warrant from a Juſtice of Peace) the Conſtable, Tything-man, or other Officer, hath power to levy the ſame by diſtreſs, and (after appraiſment by four inhabitants there) to ſell the ſame, rendring the overplus to the party ſo refuſing.

XXIII. Here, if the Officer that diſtrains, be ſued, he ſhall plead juſtification; and upon Verdict for him, or Non-ſuit of the Plaintiff, ſhall recover treble damages, beſides coſts of ſuit.

Prize Goods.

I. Stat. 16 & 17 *Car.* 2 *ca.* 6. An Act for repealing part of an Act made this Parliament, intituled, *An Act directing the proſecution of ſuch as are accomptable for Prize-Goods*, 14 *Car.* 2. *cap.* 14. *viz.* as to any proſecution againſt all Admirals, Vice Admirals, Captains of Ships, Officers of Ships or Veſſels, Sea-men and Mariners. Provided this Act extend not to diſcharge any others,

Probat of Teſtaments.

I. Stat. 31 E. 3. 4. Biſhops ſhall reſtrain their Officers from taking exceſſive fees for Probats of Teſtaments, in pain to have them indicted before the Juſtices for extortion, as hath been heretofore uſed.

II. Stat. 21 *H.* 8. 15. Nothing ſhall be given for the Probat of Will or Commiſſion of Adminiſtration, when the goods of the dead exceed not 5 *l.* ſave onely 6 *d.* to the Regiſter; Nevertheleſſe, the Judge ſhall not refuſe to prove ſuch a Teſtament, being exhibited unto him in writing, with wax ready to be ſealed and proved, *Communi forma*, but ſhall diſpatch the party without delay.

III. For the Probat of a Will, and all other things concerning the ſame, when the goods of the dead exceed 5 *l.* but not 40 *l.* the Judges Fee is 2 *s.* 6 *d.* and the Regiſters 12 *d.* And when they exceed 40 *l.* the Judges Fee is 2 *s.* 6 *d.* as before, and the Regiſters as much; Or the Regiſter may refuſe the 2 *s.* 6 *d.* and take a peny for ten lines of the Will, each line being conceived to contain ten Inches in length; And for theſe Fees, they ſhall diſpatch the party without fruſtratory delay.

IV. Where there is no Will, or the Executors refuſe it, Adminiſtration ought to be committed to the Inteſtates widow, if he left any, or to the widow, and the next of the kindred, or (in caſe he left

leſt no widow) to one or more of the kindred, or (in caſe they look not after it) to any creditor or creditors, that deſire it, or (in caſe they alſo neglect it) to any other perſon or perſons at the diſcretion of the Ordinary, who is enjoyned to take ſecurity of ſuch Adminiſtrators for the due adminiſtration of the Inteſtates goods.

V. Nothing ſhall be given for Letters of Adminiſtration, when the Inteſtates goods exceed not 5*l.* and when they exceed not 5*l.* but not 40*l.* the Officers Fees are onely 2 *s.* 6 *d.*

VI. The Executors or Adminiſtrators (calling to them two or more Creditors, or ſo many of the next of the Kin, or (in their default) two or more neighbours, or friends to the dead) ſhall in their preſence cauſe a true Inventory to be made of the goods, and ſhall deliver the ſame in upon oath unto the Ordinary indented, whereof one part ſhall remain with the Ordinary, and the other with the Executors or Adminiſtrators.

VII. The Judge or Ordinary ſhall not refuſe to receive an Inventory indented, ſo tendered unto him in Court, together with his oath to verifie the ſame.

VIII. Lands deviſed to be ſold, ſhall not be accompted any of the Teſtators goods.

IX. The fee for the Copy, either of the Will or Inventory, is the ſame with that above allowed for regiſtring of the Will, or elſe the Regiſter may take a peny for every ten lines of the length, as aforeſaid.

X. The Officer that takes more then his due fee, ſhall forfeit that exceſs to the party grieved, and beſides 10*l.* to be divided betwixt the King and the ſame party grieved.

XI. This Act ſhall not alter the cuſtome where leſs money hath been for probate of Teſtaments.

XII. The Ordinary may convent Executors to prove the Teſtators Will, and to bring in the Inventory, as before, notwithſtanding this Act.

☞ Proceſs:

1. **Artic. ſuper Cart.** 15. 28 E. 1. the ſummons and attachments of plea of land ſhall contain 15 dayes, except attachment of Aſſizes in the Kings preſence, and pleas before Juſtices in *Eyre* during the *Eyre*.

11 **Stat.** 5 E. 3. 12. Juſtices aſſigned to hear and determin felonies, ſhall direct their Writs to all the Counties of *England*, where need ſhall be, to take perſons indicted or outlawed for felony.

Stat.

III. Stat. 25. Stat. 5. 17. Proceſs ſhall be made in a Writ of debt and detinue of cattel, and taking of beaſts by Writ of *Capias*, and by proceſs of Exigent by the Sheriffs return, as is uſed in a Writ of Accompt.

IV. Stat. 6 H. 6. 1. Upon Indictment of any perſon in the Kings Bench for Treaſon, Felony, or Treſpas, a *Capias* ſhall be awarded againſt him as well to the Sheriff of the County where he was ſo indicted, as of the County whereof he is named in the indictment, returnable (at leaſt) ſix weeks after, before an *Exigend* ſhall be awarded: and if any *Exigend* ſhall be awarded, or Outlawry pronounced before ſuch return, they ſhall be void. This Ordinance ſhall endure as long as it ſhall pleaſe the King.

V. Stat. 8 H. 6. 10. Upon every ſuch Indictment or appeal (before Juſtices of Peace, or other Commiſſioners) or any perſon dwelling in another County, then where the indictment or appeal was taken, before any *Exigend* be awarded thereupon, after the firſt *Capias* returned, another ſhall iſſue out againſt him to the Sheriff of the County, where he is ſuppoſed, by the indictment, to be moſt converſant, returnable three moneths after, before the Juſtices or Commiſſioners, before whom he was ſo indicted or appealed, where the Counties are holden from moneth to moneth, but four moneths after, where they are holden from ſix weeks to ſix weeks.

VI. In this ſecond *Capias* the Sheriff ſhall be commanded to take him, if he be in his Bayliwick; but if he cannot find him, then to make Proclamation at two ſeveral Counties before the return thereof, that he appear at the return; at which time, if he come not, an *Exigend* ſhall be awarded: And every *Exigend* awarded, or Outlawry pronounced otherwiſe, ſhall be void.

VII. This Statute of 6 H. 6 1. is confirmed; and an action upon the Caſe is maintainable by the party wrongfully indicted or appealed againſt the procurer thereof, wherein he ſhall recover treble damages, and the proceſs thereof ſhall be, as in Treſpaſſe *vi & armis*.

VIII. This Act ſhall not extend to indictments or appeals taken, in the County of *Cheſter*.

IX. If the Indictee or Appellee happen to be converſant in the County where the indictment is found, at the time of the finding thereof, like proceſs ſhall be made againſt the perſon, as heretofore hath been uſed.

X. Stat. 10 H. 6. 6. The Statute of 8 H. 6. 10. is confirmed.

XI. When ſuch Indictments or Appeals, as are mentioned in the Statute of 8 H. 6. 10. are removed by *Certiorari* into the Kings Bench,

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like Proceſſes and Returns ſhall be iſſued and obſerved in that Court, as the Juſtices or Commiſſioners are ordered to iſſue and obſerve by the ſame Statute; and *Exigents* or *Outlawries* otherwiſe awarded or pronounced, ſhall be void.

XII. Stat. 19 H. 7. 9. Like Proceſs ſhall be hereafter had in Actions upon the Caſe ſued in the Kings Bench, or Common Pleas, as in actions of Treſpaſs or Debt.

XIII. Stat. 23 H. 8. 14. Like Proceſs ſhall be had in every Action hereafter to be brought upon the Statute of 5 *R.* 2. 7. (*which ſet in Forcible Entry,*) as in Treſpas, and the like Proceſs in every Writ of Annuity, and Covenant, as in Debt.

XIV. Stat. 8 *El.* 2. When any perſon ſhall ſue forth of the Kings Bench any *Latitat*, *Alias* and *Pluries Capias* againſt any perſon, who thereupon doth appear and put in bail, if the Plaintiff do not declare within three days after, or do after Declaration delay or diſcontinue his ſuit, or be non-ſuit, the Judges of that Court ſhall thereupon award damages againſt the Plaintiff.

XV. The like ſhall be done in the Courts of the Marſhalſey, *London*, and all other Corporations, and Liberties, where the Courts are kept *de die in diem*; but where they are not ſo kept, then the Plaintiff muſt declare at the next Court after appearance, unleſs he have longer time allowed him by the Court.

XVI. If any ſhall malitiouſly (for vexation and trouble) cauſe, or procure any perſon to be arreſted, or attached, to anſwer in any of the ſaid Courts, at the ſuit of any perſon, whereas there is none ſuch, or without the conſent or agreement of the party, at whoſe ſuit ſuch arreſt or attachment is procured, the party ſo cauſing, or procuring the ſame, and thereof convict by indictment, preſentment, the teſtimony of two or more witneſſes, or other due proof, ſhall ſuffer ſix moneths impriſonment without bail, and ſhall not be inlarged, untill he hath ſatisfied the party grieved, his treble damages; and beſides, ſhall forfeit unto him (if he be known) 10 *l.* to be recovered, (as alſo the ſaid treble damages) by action of debt, bill, or plaint in any Court againſt the party ſo offending his Executors or Adminiſtrators, in which no Eſſoin, *&c.* ſhall be allowed.

XVII. Stat. 12 *Car.* 2. *ca.* 3. Proceſs and Judicial proceedings continued, and pleas and proceſs under certain titles and names of *Cuſtodes*, *& Oliver*, *&c.* may be proſecuted and proceeded upon.

XVIII. Proceſs and Pleadings in *Engliſh* in Courts of Juſtice from the firſt return of *Eaſter* Term 1651. till the firſt of *Auguſt* 1660. confirmed, and no longer, And the pleading the General Iſſue allowed till then, according to the pretended Acts for the ſame. And

all

all Proceſs, Writs, and Patents, &c. hereafter to iſſue in the Kings name.

XIX. Stat. 12 *Car.* 2. *cap.* 12. What Judicial proceedings ſhall not be avoided, by reaſon of any alteration of the Names, Stiles, or Titles; but ſhall be good and effectual in Law, notwithſtanding ſuch defects, *See the Stat. at large.*

See Arreſts, Numb. IV.

Prochein Amy.

I. Weſt. 1. 47. 3 E. 1. If a chief Lord being Guardian make Feoffment of the heirs land, the heir ſhall forthwith recover it by Aſſiſe of *Novel diſſeiſin* againſt his Guardian and the tenant, and the ſeiſin ſhall be delivered by the Juſtices to the next friend to the heir (to whom the inheritance cannot deſcend) to improve it for the uſe of the heir, and to anſwer him for the iſſues at his full age, and the Guardian ſhall loſe the cuſtody of the thing recovered, and all the inheritance that he holdeth by reaſon of the heir: but if the Guardian be a mean Lord, he ſhall loſe the Wardſhip of all, and be grievouſly puniſhed by the King.

II. If the Infant be carried away, or diſturbed by the Guardian or his Feoffee, or any other, ſo that he cannot ſue his Aſſize, his *Prochein Amy* ſhall be admitted to do it for him.

III. Weſt. 2. 15. 13 E. 1. If an infant be eloined, ſo that he cannot ſue perſonally, his *Prochein Amy* ſhall be admitted to ſue for him.

Prohibition and Conſultation.

I. Stat. *De Circumſpecte agatis*, 13 E. 1. For penance corporal or pecuniary enjoyned for deadly ſin, as Fornication, Adultery, or the like, alſo for not fencing the Church-yard or not repairing the Church or ſufficiently adorning it, a Prohibition lieth not: Nor for Oblations, Tythes, Mortuaries, Penſions, laying violent hands upon a Clerk, Defamation (when money is not demanded) nor for breaking an Oath.

II. Stat. *De Conſultationi*, 24 E. 1. When the Chancellor or chief Juſtices (upon ſight of the Libel) conceive that the Plaintiff cannot have remedy in any Temporal Court, the Plaintiff ſhall have Conſultation. *viz.* the ſaid Chancellor or chief Juſtice ſhall write to the Eccleſiaſticall Judges, before whom the cauſe depends,

pends, that they proceed therein, notwithſtanding the Kings prohibition.

III. Artic. Cler. *Cap.* 1. 9 E. 2. For tythes, oblations, obventions, or Mortuaries, when they are propounded under thoſe names) the Kings Prohibition ſhall not hold place, albeit for the long withholding of them they come to a *pecuniary* eſtimation; but if an Eccleſiaſtical perſon lodge his tythes in his barn, and then ſell them for money, if that money be demanded before a Spiritual Judge, for this, a prohibition lieth; for by the ſale they are made Temporall.

IV. *Cap.* 2. If debate ariſe upon the right of tythes (having his original from the right of the Patronage) and the quantity of the ſame tythes do amount to a fourth part of the goods of the Church, for this a prohibition lyeth: alſo if a peeuniary penance be demanded in the Court Chriſtian, a prohibition lyeth: but if a Prelate enjoy corporal penance, and the party afterward Commutes for money, that money is recoverable in the Court Chriſtian, and in that caſe a prohibition lieth not.

V. *Cap.* 3. If any lay violent hands upon a Clerk, the amends for the peace broken ſhall be before the King and for the excommunication before a Prelate; and if corporal penance be enjoyned, and the offender will redeem it with money to give to the Prelate or the party grieved, it ſhall be required before the Prelate, and the Kings prohibition lieth not.

VI. *Cap.* 4. Alſo in defamations, the Prelates may correct, notwithſtanding the Kings prohibition.

VII. *Cap.* 5. No prohibition ſhall be granted, where tythe is demanded out of a Mill newly erected.

VIII. Stat. 1 E. 3. *Stat.* 2. 11. A prohibition is granted againſt thoſe, who in the Spiritual Court do ſue their indictors.

IX. Stat. 18 E. 3. *Stat.* 3. 5. No prohibition ſhall be awarded but where the King hath Conuſance.

X. Stat. 45 E. 3. 3. A prohibition (and an Attachment thereupon) ſhall be granted, where a ſuit is commenced in the Spiritual Court for the Tythes of underwood above 20 years growth in the name of *ſylva cædua*.

XI. Stat. 50 E. 3. 4. No prohibition ſhall be allowed after Conſultation duly granted; ſo as the matter in the Libell be not changed.

Prophecies,

Prophecies.

I. Stat. 5. El. 15. None shall publish or set forth any phantastical or false Prophecie, with an intent to raise sedition, in pain to forfeit for the first offence, 100. and to suffer one whole years imprisonment, and for the second, all his goods, and to incur imprisonment during life, which said forfeitures are to be divided betwixt the Queen and the prosecutor.

II. Justices of Assise, *Oyer* and *Terminer*, and Peace, have power to hear and determine this offence, being prosecuted within six months, otherwise not.

Protection.

I. Stat. *De Protectionibus*, 33 E. 1. A Challenge shall be entred against a protection of the Kings Service, and if the Countrey passe against him, that call the protection, it shall turn to a default, if he be Tenant; and if he be demandant, he shall lose his Writ, and shall also be amerced to the King.

II. Stat. 25 E. 3. *Stat.* 3. 19. Notwithstanding, the Kings protection of his Debtor, other Creditors may proceed to Judgement against him with a *Cesset executio*, until the Kings debt be paid; and here, if the Creditors will undertake for the Kings debt, they shall have execution against the Debtor, both for their own debts, and likewise for so much as they have paid the King.

III. Stat. 1. R. 2. 8. No protection with the Clause of *Volumus*, shall be allowed for Victuals, taken or brought upon the Voyage, or Service, whereof the protection maketh mention, neither yet in pleas of trespass or contracts made after the date of the same protection.

IV. Stat. 13 R. 2. 16. No protection with the Clause of *Quia profecturus*, shall be allowed in any plea whereof the Suit was commenced before the date of such protection: except in a Voyage where the King goeth in person, or other voyages royall, or in the Kings Messages: Howbeit, this Act shall not infringe protections with the Clause of *Quia moratur*: and if the party protected tarry more then a convenient time in the Countrey, without going to the Service, or return from the Service, the Chancellor having notice thereof, shall repeal his protection.

V. Stat. 7. H. 4. 4. In an Action of Debt brought against the Goaler, which letteth a prisoner escape, a protection shall not lie.

Stat.

Proviſo and Præmunire.

I. Stat. 25 E. 3. *Stat.* 5. 22. He that purchaſeth a proviſion in *Rome* for an Abbey or Priory ſhall be out of the Kings protection, and any man may do with him, as with the Kings Enemy; *But this is altered by* 5 El. 1. *which ſee in Crown.*

II. The Statute of *Proviſors*, 25 E. 3. Stat. 6. made to prevent Collations of Benefices in *England*, by the *Pope* to the *Proviſors*, or Procurers thereof, as well Aliens as Denizens: And here, the penalty was impriſonment without bail, until he ſhould make fine to the King, and ſatisfaction to the party grieved, if he were taken; but if not, the *Exigent* ſhould run againſt him.

III. Stat. 27 E. 3. Stat. 2. 1, 3. A *Præmunire* is granted againſt ſuch as ſue in a foreign Realm, or impeach there any judgment given in any of the Kings Courts, for any matter whereof the Kings Courts may take conuſance: The penalty is to be out of the Kings protection, to forfeit all their lands and goods, and to be impriſoned, and ranſomed at the Kings will, if they may be found, but if not, they ſhall be put in *Exigent*, and outlawed.

IV. Stat. 3 R. 2. 3. None ſhall take a Benefice of an Alien, nor convey any money to him for the farm thereof, in pain of a *Præmunire*.

V. Stat. 7 R. 2. 12. No Alien ſhall purchaſe a Benefice in this Realm, nor occupy the ſame without the Kings licenſe, in pain of a *Præmunire*.

VI. Stat. 12, 2, 15. If any go out of the Realm to procure (by way of proviſion) a Benefice within the Realm, he ſhall be out of the Kings protection, and the Benefice ſhall be void.

VII. Stat. 13 R. 2. *Stat.* 2. 3. A Confirmation of the Statute of Proviſors, 25 E. 3. and if any accept of a Benefice, contrary to the ſaid Statute, he ſhall incur a *Præmunire*, and ſuffer perpetual baniſhment.

VIII. Stat. 16 R. 2. 5. None ſhall purchaſe Bulls, or other Inſtruments from *Rome*, or elſewhere, in pain to incur a *præmunire*. The Crown of *England* is ſubject to none.

IX. Stat. 2 H. 4. 3. and 4. Religious perſons purchaſing Bulls from the Pope, to be exempted from obedience, or tithes, ſhall incur a *Præmunire*.

X. Stat. 7 H. 4. 8. No proviſion ſhall be made by the Pope, nor licenſe or pardon by the King, touching any Benefice, then full of an Incumbent.

XI. Stat. 3 H. 5. 4. All Provisions made by the Pope, and licences or pardons by the King, touching any Benefices, full of an Incumbent, shall be void, and the provisors thereof shall incur a *præmunire*.

Purpresures.

I. Stat. *De Bigamis*, 4 E. 1. Purpresures, or usurpations upon the King, shall be reseised, and if any complain of such reseisures, he shall be heard, and have right done him.

Purveyors.

I. Magna Carta, 21. 9 H. 3. No Sheriff or Bailiff of the King, or any other, shall take any Horses or Carts of any man to make carriage, except they pay for carriage, with two Horses, after the rate of 10 *d.* a day, and with three, 14 *d.* a day.

II. No Demesne Cart of any Spiritual person, Lord or Knight, shall be taken for carriage by the Kings Bailiffs: Neither shall any wood be taken for the Kings use, without the owners license.

III. Stat. *De Tallagio non concedendo, Tempore*, H. 3. *vel.* E. 1. None of the Kings Ministers shall take any Corn, Hides, or any other goods, without the owners consent.

IV. West. 1. 31. 3 E. 1. Purveyors, who take any thing for the Kings use upon credit, shall immediately after they shall have received money of the King, satisfie the Creditor, in pain to have the same (together with damages) levied of their lands and goods, and also to make fine for the trespass. And if they have neither lands nor goods, they shall suffer imprisonment at the Kings will.

V. None shall take more Horses or Carts for the Kings use, then need requires: Nor take a reward to excuse any, in pain to be punished by the Marshals, if he be of the Court, and if not (being thereof attainted) to pay treble damages, and to remain in the Kings prison 40 days.

VI. Artic. super Cart. 2. 28 E. 1. None but the Kings Purveyors shall take any prices, and they only for the use of his house, paying or agreeing with the party for the same, if the prices taken be meat, drink, or such other mean things.

VII. Purveyors shall before they take any goods, shew their Warrant to the owner, which Warrant shall be under the great or petty Seal: declaring also their authority, and the goods whereof they are to make purveyance, neither shall they take any more then need requires.

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VIII. Purveyors shall not take any thing for such as are in wages, nor for any other; but shall make full answer in the Kings House, and in the Wardrobe for all things taken by them, without making their larges elsewhere; or liveries of such things as they have taken for the King.

IX. A Purveyor (upon complaint made to the Steward, or Treasurer of the Kings House) being attainted to have offended in the premisses, shall forthwith agree with the party grieved, be put out of the Kings Service for ever, and remain in prison at the Kings pleasure.

X. If a Purveyor be attainted to have taken any thing without Warrant, he shall be conveyed to the next Gaol, and suffer as a Felon, if the value of the goods do so require.

XI. Concerning prices made in Fairs, good Towns and Ports, for the Kings great Wardrobe, the Purveyors shall have their common Warrant under the Great Seal.

XII. This Act shall not diminish the Kings right to ancient prices due and accustomed; as of Wines and other goods, *See this Statute confirmed*, by 18 E. 2. 2. 4 E. 3. 4. and 25 E. 3. 1.

XIII. Stat. 4 E. 3. 3. No purveyance shall be made, but only for the Houses of the King, Queen, or their Children.

XIV. Purveyance made for those houses, shall be taken by ordinary stirked measures, and prized at the true value by the Constable and other good men of the place, according to their Oath; and without threats *or dures*; for which express payment shall be made before the Kings departure out of that Verge. *See this Statute confirmed*, 10 E. 3. 1.

XV. Stat. 5 E. 3 2. Purveyances for the houses of the King, Queen, and their Children, shall be made without menace by the Constables and four discreet men of the place, where they are to be taken, who shall also be thereto sworn: And Talley of the goods so taken, shall be strook betwixt the Purveyors and the owners thereof, in the presence of those Constables and apprizers, under the Seals of the said Purveyors, according to which the owners shall be afterwards paid: And if a Purveyor shall be attainted to have taken any thing otherwise then is limited by this Statute, he shall be imprisoned, and suffer as a Felon, if the value of the goods require it: And in every Warrant of Purveyance, the form and penalty of this Statute shall be inserted: *See* 10 E. 3. 1. and 25 E. 3. 1. *to the like effect.*

XVI. Stat. 14 E. 3. *Stat.* 3. 1. Spiritual persons goods shall not be taken by Purveyors, nor their houses charged with Horses,

Dogs, Hawks, or the like, without their consent and good liking.

XVII. Stat. 13 E. 3. 19. Stat. 1. The Kings Purveyor shall take nothing without the Owners consent, and shall pay for what they take before the Kings departure out of that Verge: And if they attempt to do any thing against this Statute, by colour of their Commission, no man is bound to obey them.

XVIII. For the purveyance of Towns and Castles in *Scotland* and *England*, Merchants shall be appointed by the Treasurers without Commission; but none shall be compelled to sell any thing against their will.

XIX. The Sheriff shall make purveyance for a certain number of the Kings Horses and Dogs out of the issue of his Bailiwick.

XX. The countrey shall not be charged with any more persons, then are necessary to keep those Horses, *viz.* for every Horse, a servant, without bringing Women, Pages, or Dogs with them.

XXI. Stat. 18 E. 3. 4. In Commission of purveyance, the fees of the Church shall be excepted.

XXII. Stat. 25 E. 3. Stat. 5. 6. No Purveyor shall take any Timber growing about a mans house, in pain of one years imprisonment, and the losse of his Office.

XXIII. Stat. 25 E. 3. Stat. 5. 15. No Purveyor shall take more sheep for the Kings House before Sheer-day, then shall be needful, in pain to suffer as a Felon, and this penalty shall be inserted in every Commission of Purveyance.

XXIV. Stat. 28 E. 3. 12. When the value of the purveyance exceeds not 20 s. present payment shall be made for it within one quarter of a year after, upon a certain day, and at a place convenient for the party that is to receive it.

XXV. Stat. 34 E. 3. 2. No purveyance shall be hereafter made, save only for the King, Queen, and Prince.

XXVI. Stat. 44 E. 3. 3. As concerning purveyances for the Queen, or Prince, present payment shall be made for Poultry, or other small things; but for other great purveyances, within a month or six weeks.

XXVII. Stat. 36 E. 3. 2. From henceforth, purveyances shall be made for the King and Queens Houses, and none other.

XXVIII. The odious name of a Purveyor shall be changed and termed Buyer.

XXIX. If the buyer and seller cannot agree, the goods shall be appraized by the Lords, or Bailiffs, Constables, and four men, by Indenture between the buyer and them, containing the quantity of the takings, the price, and of what persons brought, which takings shall

ſhall be made without *dures* or compulſion, in places of plenty, and in a convenient time.

XXX. Purveyors ſhall be men of ſufficiency, and ſhall make no Deputies; their Commiſſion ſhall be renewed every half year under the Great Seal; which none is bound to obey, unleſs they pay ready money, as well for things bought, as alſo for carriages.

XXXI. Purveyance of Grain or Malt ſhall be made by ſtricked meaſure according to the Standard, and no more carriages ſhall be uſed for it then ſhall be needful.

XXXII. If any Purveyor or Buyer offend againſt the Statute, he ſhall ſuffer puniſhment of life and member: *See the Statute confirmed, 23 H. 6. 1.*

XXXIII. **Stat. 36 E. 3. 3.** No buyer ſhall ſpare any from carriages, nor charge any for hatred or ill will, in pain to yield to the party grieved, treble damages, ſuffer two years impriſonment, to be anſwered at the Kings will, and to abjure the Court, and if the party grieved will not ſue in this caſe, any other that will ſhall have the third peny of what ſhall be recovered.

XXXIV. **Stat. 36 E. 3. 4.** Commiſſion ſhall be awarded to enquire of the behaviour and act of ſuch buyers, and if it ſhall be found by the Country, that they have taken more then they have delivered in, or have not paid for what they have taken, they ſhall have pain of life and member.

XXXV. **Stat. 36 E. 3.** None ſhall keep more houſes of the Kings, then ſhall be committed to him.

XXXVI. None of the King or Queens houſes ſhall make any Purveyor, but ſhall buy proviſion, as others do, of ſuch as are willing to ſell.

XXXVII. **Stat. 38 E. 3. 6.** It is Felony for any Subjects ſervant to take any thing by way of purveyance, without the Owners notice.

XXXVIII. **Stat. 1 R. 2. 5.** Prelates ſhall have their actions of treſpaſs againſt Purveyors offending, and ſhall alſo recover treble damages.

XXXIX. **Stat. 7 R. 2. 8.** No Subjects Cator ſhall take any victual or carriage without the owners conſent, and preſent payment, in pain to incur the penalties compriſed in the Statutes of Purveyors.

XL. **Stat. 2 H. 4. 14.** When the value of a thing taken exceeds 40 *s.* the Purveyor ſhall make preſent payment for it, in pain to loſe his Office, and alſo to pay as much to the party grieved.

XLI. **Stat. 1 H. 6. 2.** The Statutes of Purveyors ſhall be proclaimed quarterly by every Sheriff throughout his Bailiwick, in pain to forfeit 5 *l.* for every time he makes default.

XLII. Stat. 20 H. 6. 8. A Purveyor that takes goods, whose value exceeds not 10 s. and pays not present money for them, may lawfully be resisted; And here the Constable, Headborough, or other Officer, shall (upon request) assist the owner, in pain to yield unto the said owner, the value of the goods taken, and double damages.

XLIII. None of the Kings Officers shall Arrest or trouble any of the Kings Subjects for any such resistance, in pain of 20 l. to be divided betwixt the King and the prosecutor.

XLIV. Justices of Peace have power to hear and determine the offences committed against this Act, and upon conviction of the Defendant, to award damages to the Plaintiff.

XLV. In every purveyors Commission, this Act shall be inserted, and shall also be sent to the Sheriffs of every County to be proclaimed amongst other Statutes of purveyors, according to the Statute of 1 H. 6. 2.

XLVI. Stat. 23 H. 6. 1. 2. Every purveyor, before he receive his Commission, shall be sworn to the Chancery, to take nothing of subjects contrary to the Statute of 36 E. 3. 2. 3.

XLVII. The party grieved by taking, which upon request was not assisted by the Apprizer, Town, or Towns adjoyning, may bring his Action of Debt against the Town, or the purveyor, which he likes best, and shall recover the treble value of his goods so taken away, together with his costs, and treble damages; And none of the Kings Officers shall trouble any of the Kings Subjects for the execution of this Act, in pain to forfeit 20 l. to the party grieved, besides his costs and damages, for which he may have a Writ of debt, in which Action no wager of Law, Essoin, Aid of the King, or protection shall be allowed; And the debt, damages and executions recovered against a purveyor in the case (if he hath not whereof to pay them) shall be satisfied by the Serjeant of the Catery, unto whom a *Scire facias* shall be directed for that purpose.

XLVIII. These Statutes shall be sent to the Justices of peace in every County, to the end they may be yearly proclaimed.

XLIX. Stat. 23 H. 6. 14. All Mayors, Bailiffs, Constables, and other Officers shall (upon request made) arrest and imprison without bail, all purveyors (except only the Kings or Queens) which take any goods or carriages from any of the Kings subjects, in pain to forfeit 20 l. to be divided betwixt the King and the party grieved, in case he will sue for it; but if not, then betwixt the King and the prosecutor; And the party offending being duly convicted thereof, shall yield to the party grieved, the treble value of the goods so taken

ken, and double costs, and besides, shall fine to the King for the trespass committed.

L. Here no wager of Law, or the Kings protection shall be allowed to the Defendant.

LI. This Act shall not restrain the punishment ordained against the Kings purveyors.

LII. Stat. 28 *H.* 6. 2. No person keeping an Hostery, Brewhouse, or Victualling, shall be a purveyor, and all Letters Patents of purveyance granted to such, shall be void.

LIII. No purveyor shall take any horse or Carr, but by the consent of the owner, or delivery of the Mayor, Sheriff, Bailiffs, or Constable, in pain to be subject to an Action of Trespass, wherein the party grieved shall recover treble damages.

LIV. Stat. 2. 3 *P. M.* 6. No Commission of purveyance shall continue in force above six moneths.

LV. In every such Commission shall be inserted the proportion and number of things to be taken; as also the County or Counties where such purveyance is to be made.

LVI. To every Commission shall be annexed blanks in parchment according to the number of the Counties into which it extends, and in every such blank shall be fair written the proportion and number of the commodities there to be taken, which shall also be subscribed by the High-Constables, Constables, or other Officers, which shall be privy to the delivery of the said goods.

LVII. The purveyor shall make writings or Dockets of all things by him taken, and subscribing his name thereunto, shall deliver them to the Constables, Head-boroughs, or other Officers of the places, where he takes the same things, in pain for every such default, to suffer one years imprisonment, and forfeit 100 marks, to be divided betwixt the King and the prosecutor; which said Dockets shall be by the said Officers delivered over to the Justices of Peace at their next general Sessions, and by them certified to the Lord Steward, Treasurer, or Comptroller of the King and Queens house, if such purveyance were for the house; but if for the Navy, then to the Treasurer, or Comptroller of the Navy, and all this to the end a true answer of the purveyors Commission may fully appear.

LVIII. This Statute shall not give liberty to purveyors, or their Deputies to execute their Office otherwise, then is provided and expressed in other Statutes heretofore made, upon the pains and penalties in the same former Statutes contained.

LIX. Statutes made and provided for Purveyors, or Takers, shall

also extend to their Undertakers, Deputies, and Servants.

LX. All Commissions of purveyance shall be written in English.

LXI. Stat. 12 Car. 2. cap. 24. Purveyances for the Kings houshold, and all carriages for purveyances, and all sums of money or other things taken, rated, or paid in regard hereof, or of any the children of any King or Queen of England; and all constraint for providing Carriages for their goods without the Owners free consent (obtained without menace or enforcement) be taken away; and in recompence thereof, and of the Courts of Wards taken away, Rates of Excise given to the King.

LXII. Stat. 13 Car. 2. cap. 8. The clause in the Act, taking away purveyances, being inconvenient in regard of the King or Queens Royal progresses: It is Enacted, That the Clerk, or chief Officer of the Kings Carriages three dayes before the Kings Arrival, by Warrant from the Green-Cloth, shall give notice to two Justices of the Peace adjoyning, to provide Carts and Carriage for the Kings use, expressing the time and place of attendance, every carriage to consist of four horses, or four Oxen and two horses; for every which Carriage, the Owner to receive 6 d. for every mile going laden.

LXIII. If any shall upon occasion refuse or neglect to provide Carriages accordingly for the King or Queen, his or her houshould, and be convicted by the Oath of the Constable, other Officer, or two Witnesses before any Justice of the Peace of the Country, such person shall forfeit 40 s. to the Kings use, to be levied by distress and sale of his goods; Provided none be compelled to travel above one dayes Journey, and upon ready payment at the place of lading.

LXIV. If any Justice of the Peace, or other Officer shall take any gift or reward to spare any, or shall impress any other Carriage then directed from the Green-Cloth; he shall forfeit 10 l. to be recovered in any the Kings Courts of Record: And any person taking upon him to impress any horses or Carriages other then impowred, he shall suffer the punishment in the recited Act.

LXV. The Kings servants shall not pay above 12 d. a night for a bed, and 6 d. for a servants bed, and where they pay for their diet, and horse-meat, beds shall be provided gratis.

LXVI. Two Justices of the Peace near the Road, after notice from the Green-Cloth, or Avenor, under their hands and seals, shall set and proclaim the rates and prizes to be paid during the Kings stay for Hay and Oats, and other accommodations for horses; and none shall take more, upon pain of 40 s. to be levyed by warrant of the said Justices upon the Offendors goods.

LXVII.

LXVII. This Act to continue until the end of the first Session of the next Parliament, and no longer.

LXVIII. Stat. 14 Car. cap. 2. 20. The said clause of the Stat. 12 Car. 2. cap. 24. of setling a revenue upon the King in lieu and recompence for taking away the Court of Wards and Purveyance, being recited; It is notwithstanding Enacted.

LXIX. That Carriages shall be provided for the use of the Kings Navy and Ordnance, upon notice in writing by appointment of the Lord Admiral, or two or more of the principal Officers or Commissioners of the Navy or Master or Lieutenant of the Ordnance, directed to two Justices of the Peace near the place where the same are to be provided.

LXX. The said two Justices of the Peace shall issue their Warrants to such adjacent Parishes, Hundreds, or Divisions as they shall think fit, not above 12 miles distant from the place of lading. The Owners to receive for every load of Timber, 12 d. *per* mile, and for every other provision 8 d. the mile *per* Tun from the place of lading.

LXXI. The Lord Admiral or Officers above mentioned, may likewise impress Ships, Hoyes, and Boats for the Carriages imployed for the Navy, and Ordnance, at the rates *per* Tun usually paid by Marchants, and upon difference, to be setled by the Brotherhood of *Trinity*-house of *Deptford-strand*.

LXXII. If any the Kings subjects shall refuse or neglect to perform the service in carriage, upon conviction as aforesaid for land-Carriages, and for Water-carriages by the Oath of such persons as shall be appointed by the Lord Admiral, or principal Officers aforesaid, or two credible Witnesses, shall for every such default of land-Carriage, forfeit 20 s. And for water-carriage, treble the fraight of the ship or vessel, to be levyed by the Justices of the Peace, or other chief Officer of Corporations, or from the principal Officers of the Navy aforesaid, by distress and sale of the Offendors goods.

LXXIII. Provided no person or carriage be forced to travel further, or continue longer then by order of the said Justices of the Peace, and ready payment at the place of lading.

LXXIV. No Officer impowred shall take any gift or reward, to spare any person, nor none shall be charged injuriously of evil-will, no more then necessity of service shall require, or then shall be commanded by the superiours, upon forfeiture of 10 l. to the party grieved, to be recovered by Action of debt; and if any shall take upon him to press any horses, or Carriage, being not lawfully impowred, to incur the penalty in the Act for taking away purveyances mentioned.

LXXV.

LXXV. Proviſo, no Ship or Veſſel fraighted by Charter-party, if there be other Veſſels in the Port, nor any veſſel quarter laden outward bound, ſhall be lyable to be impreſſed.

LXXVI. Proviſo, to allow the Inhabitants of New-Forreſt, in the County of *Southampton*, 4 d. *per* mile extraordinary going empty.

This Act to continue till the end of the firſt Seſſion of the next Parliament, and no longer.

Quakers.

1. Stat. 13, 14 Car. 2. cap. 1.

I. IF any perſons who maintain, That the taking of an Oath in any caſe whatſoever (though before a lawful Magiſtrate) is unlawful and contrary to the Word of God, ſhall wilfully refuſe to take an Oath, by the Laws of the land being duly tendred, or ſhall perſwade any other to forbear the taking the ſame ſo tendred, or ſhall go about by printing, writing, or otherwiſe to maintain, That the taking of an Oath in any caſe whatſoever, is unlawful: And perſons called Quakers, may not aſſemble themſelves together above 5 in number of the age of 16 years or more, under pretence of Religious Worſhip, upon penalty for the firſt Offence, upon conviction by verdict, or confeſſion, a fine not exceeding 5 l. The ſecond offence 10 l. upon every offendor. To be levyed by Warrant of the parties before whom the conviction ſhall be, and for want of diſtreſs and non-payment within one week after conviction, for the firſt offence, Impriſonment or houſe of Correction three Moneths, the ſecond offence ſix Moneths, which penalties ſhall be imployed for the maintaining the houſe of Correction.

II. The third offence and conviction, the party offending ſhall abjure the Realm, or otherwiſe the King may give order to tranſport the offendor to any of his Majeſties Plantations beyond the Seas.

III. Juſtices of Oyer and Terminer, Aſſiſe, Gaol-delivery, and Juſtices of the peace in open Seſſions, may hear and determine the ſaid offences within their reſpective limits.

IV. Any Juſtice of the Peace, Mayor, or chief Officer of a Corporation, may commit to the Gaol, or bind over perſons with ſufficient ſureties in order to their conviction.

V. Such perſons as after conviction ſhall take ſuch Oaths for which they ſtand committed, and give ſecurity to forbear meeting in any ſuch unlawful aſſembly, ſhall be diſcharged of all the ſaid penalties.

VI.

VI. A Lord of Parliament for every third offence within this Act, shall be tryed by Peers.

Queen.

I. Stat. 1 *M. Parl.* 2. 1. ALL Regal power of this Realm, and all dignities and preheminences thereunto belonging, shall be as well in a Queen, as in a King.

Quod Permittat.

I. West. 2. 24. 13 E. 1. In like manner as a Parson of a Church may recover common of pasture by a writ of *Novell disseisin*, so his successor shall have a *Quod permittat* against the Disseisor or his heir, though there was never such a Writ granted out of the *Chancery* before.

Rape.

I. West. 1. 13. 3 E. 1. NOne shall ravish or take away by force, any Maid within age (neither by or without her consent) nor any Wife or Maid of full age, nor any other woman against her will.

II. Here any person may sue within 40 days; but if not, then the King shall have the suit, and such as be found culpable, shall suffer two years imprisonment, and make fine at the Kings will; and if they have not whereof, they shall be punished by longer imprisonment, as the trespass requireth.

III. West. 2. 34. 13 E. 1. If a man ravish a Woman, married, Maid, or other, where she did not consent, neither before nor after, he shall have judgment of life and member.

IV. Where a man ravished a woman married, Lady, Damosel, or other, albeit she consent after, yet he being attainted thereof, shall have like judgment as before; and here the King shall have the suit.

V. Of

V. Of women carried away with the goods of their husbands, the King ſhall have the ſuit for the goods ſo taken away.

VI. If a woman willingly leave her husband, and go away, and continue with her Advowterer, ſhe ſhall be barred for ever of action to demand her Dower, unleſs her husband willingly (and without coertion of the Church) reconcile her, and ſuffer her to dwell with him.

VII. None ſhall carry away a Nun from her houſe (albeit ſhe conſent) in pain to ſuffer three years Impriſonment, and to make ſatisfaction to the houſe, and fine to the King.

VIII. Stat. 6 R. 2. 3. Both the Raviſher, and Raviſhed (where ſhe conſents after the fact) are diſabled to have or challenge any Inheritance, Dower, or joynt-eſtate after the death of their husband or Anceſtor.

IX. In an appeal of Rape, the Husband, Father, or next of the bloud ſhall have the ſuit, and the Defendant ſhall not be received to wage battel.

Reaſonable Aid.

I. Weſt. 1. 35 E. 1. and 25 E. 3. *Stat.* 5. 11. Reaſonable Aid to make the Kings eldeſt Son a Knight, and to marry his eldeſt Daughter, ſhall be for a Knights fee holden of the King without mean, 20 s. and every 20 l. land in ſoccage ſhall pay as much, and ſo more or leſs, according to that rate; And it ſhall be levied at 15 years age of the Son, and 7 years of the Daughter: Here, if the Father levy it, and dye, and before the marriage of the Daughter, the Fathers executors ſhall be charged therewith, and if they have not aſſets, the heir ſhall be therewith charged.

Receivers.

I. Stat. 34 H. 8. 2. All Collectors of Fifteens and Subſidies, or other tax or loan, and all particular and general Receivers of the Kings Revenues, ſhall within three moneths after the ſame are due, and by them received, truly pay them unto the Kings uſe, in pain to loſe their Offices, and alſo to forfeit 4 s. for every pound ſo received, and not paid in, as aforeſaid, to be recovered by Bill, Plaint, or Action of Debt at the Kings ſuit: Howbeit lawful tender thereof within the ſaid time, ſhall excuſe the ſaid penalties, albeit they be not then received by the proper Officer, by reaſon of other occaſions.

II. Per-

II. Provided, that the heir of any ſuch Collector or Receiver, ſhall not be charged (by reaſon of this Act) but only in lands, which deſcend in fee-ſimple, or fee-tail, or which have been conveyed unto him by colluſion from ſuch Collector, or Receiver; neither ſhall their executors, or adminiſtrators be otherwiſe charged for the ſame, then as they are chargeable by the Common-Law in action of debt, commenced againſt them, as Executors, or Adminiſtrators.

III. The heir being charged, ſhall have remedy againſt the Executors or Adminiſtrators of his Father or Anceſtor, and ſhall have execution of ſuch goods and chattels, as remain in their hands at the time of the Action brought.

IV. This Act ſhall not extend to the Collectors of the Cuſtoms, or of Tunnage and Poundage: nor to reſtrain the payment of penſions, fees, annuities, rents, or other allowances to be paid by the ſaid Receivers, according to the ſeveral allowances thereof.

V. *Stat.* 7 E. 6. 1. Every Treaſurer general, and particular Receiver, Bailiff, and Miniſter Accomptant to the King ſhall before his entry upon the Office, be bound with ſurety, or ſureties for his true account and payment, in pain to loſe his Office.

VI. Every ſuch Receiver, his Deputy, or Deputies, ſhall yearly make Precepts to the ſeveral Collectors, Miniſters, and Bailiffs, accountant within the circuit of his Office, charging them thereby perſonally to appear before him, or by their Deputy, or Deputies (for whom they will anſwer) within the County where ſuch Offices do lye, at a certain day and place in the ſaid Precept to be limited, to pay in ſuch moneys as ſhall be due (within their Collections) to the King, at or before *Eaſter*, which Precept ſhall be delivered unto them, or left at their houſes, or the places where their Collections are, twelve days (at leaſt) before the day of appearance.

VII. Here, if the Accomptant make default of appearance, and be thereof duly convicted in the Court, where the revenue is, he ſhall forfeit for the firſt offence, his whole Fee for that year, or the value thereof; and for non-payment of the money then due, ſhall loſe for the firſt offence 6 d. in the pound for every moneth after the ſaid day of appearance, until it be paid in unto the Receiver.

VIII. Like Precepts are to be ſent unto the ſaid Accomptants by the Auditor for appearance at the Audit at a certain day after *Michaelmas*, and for accompting there before him for moneys due, at or before that Feaſt, upon the like penalties (for the firſt offence) as before, if they appear not, or refuſe to accompt; they are then alſo to pay in to the Receiver all moneys found due by the Auditor upon their Accompts.

For

IX. For the ſecond default of appearance at the Audit, they ſhall loſe their Offices; and for their ſecond offence of not paying in the moneys due, at or before *Michaelmas*, they ſhall forfeit 12 *d.* for every Moneth until they be paid.

X. The Receivers ſhall yearly pay in all moneys due, at or before *Eaſter* (which they know to be due, and can by any lawful means receive) by the 20 of *June*, at fartheſt, as thoſe due, at or before *Michaelmas*, by the 20 of *January*, in pain to forfeit 2 *d.* in the pound for every day they ſo make default of payment.

XI. Every Receiver ſhall yearly enter into his accompt in *Hilary* Term, finish it before the tenth of *March*, and pay in all the moneys due upon his accompt, before the 20th. of *March*, in pain to forfeit 4 *d.* in the pound for every day that he with-holds the ſame longer.

XII. Every Receiver, Collector, and Bailiff, hath power to diſtrain for arrears, and to order the ſaid diſtreſſes in like ſort, as any Officer of the Exchequer, for non-payment of the Kings rents and revenues have lawfully uſed to do, delivering to the party diſtrained the overplus of the value of every ſuch diſtreſs, the Kings debts being firſt paid, and the diſtrainment anſwered his reaſonable coſts.

XIII. The Kings chief Officers of the Kings Courts of Revenue (being of Record) have power to ſet fines and amerciaments upon Sheriffs for not returning, or miſ-returning of Writs iſſued out for the levying of the Kings debts or revenues.

XIV. All Treaſurers, Chamberlains, general Receivers and Cuſtomers, ſhall upon 10 days notice (from the King, or ſix of the priy Council) render an accompt of what moneys are in their hands, and ſhall make ready payment thereof, in pain to loſe their places.

XV. The ſaid Treaſurers, Chamberlains, and general Receivers, or their Deputies, ſhall yearly, before the 20th. of *June*, make a perfect accompt of all ſuch moneys as came to their hands, before the 20th. of *March* next before, and ſhall make a perfect and whole declaration in writing, of the money remaining in their hands (to the King or his Council) yearly, before the laſt of *June*, and ſhall make payment thereof, as they ſhall be afterwards commanded by ſufficient Warrant, in pain to forfeit their Offices.

XVI. No Treaſurer, Receiver, or Miniſter, Accomptant, or their Deputies, ſhall receive for the payment, or any Fees, Annuities, Penſions, Duties, or Warrants, more, or otherwiſe then they lawfully may by former Laws and Statutes in that behalf provided, in pain to forfeit for every penny, or penny-worth, otherwiſe taken, 6 *s.* 8 *d.* to the party grieved, to be recovered by Bill, Plaint, or Action of debt.

The

XVII. The Auditor that refuseth, or delayeth to take an accompt, so that the Accomptant cannot pass his accompt within the time above limited, shall forfeit as much as the Accomptant should have forfeited, and the Accomptant shall be discharged thereof.

XVIII. The Auditor or his Deputy shall in convenient time (upon the request, and at the costs of the Accomptant) deliver unto the Accomptant, a duplicate or copy of his accompt under his or their hand; in pain to forfeit 10 *l.* to the King.

XIX. This Act shall not extend to Archbishops or Bishops, concerning their accompts or payment of tenths; nor to any Sheriff, Escheator, or Collector of *Dismes*, *Quindismes*, Benevolences, Contributions, or Subsidies, the Subsidies of Tonnage and Poundage only excepted.

Recognisance and Statute-Merchant.

I. **Acton Burnel, 11 E. 1.** The Merchant that will be sure of his debt, shall cause his debtor to come before the Mayor of *London*, *York*, or *Bristol*, or before the Mayor and Clerk (which the King will appoint) to acknowledg the debt and the day of payment; which recognisance shall be entred into a Roll with the hand of the said Clerk.

II. The Clerk shall make with his own hand a Bill Obligatory, whereunto the Seal of the Debtor shall be put together within the Kings Seal, to be appointed for that purpose; which Seal shall remain in keeping of the said Mayor and Clerk.

III. If the Debtor fail at the day, upon notice thereof to the Mayor and Clerk, they shall cause his chattels, and divisible Burgages to be sold, as far as the Debt doth amount, by appraisement of honest men; and the money without delay shall be paid to the Creditor; and in case they cannot sell them, they shall cause so much of the moveables to be delivered unto him as amount to the Debt, and the Kings Seal shall be put unto the sale and deliverance of the Burgages.

IV. If the Debtor have no moveables within the Mayors jurisdiction, then shall the Mayor send the Recognisance unto the Chancellor under the Kings Seal, and the Chancellor shall thereupon direct a Writ to the Sheriff, in whose Bailiwick the moveables of the Debtor be, who shall proceed therein, as the Mayor might have done, if the said moveables had been in his power.

V. If the Appraisors set too high a value upon the things that are to be sold, they shall be compellable to take them at the same price,

price, and ſhall forthwith be anſwerable to the Creditor for his Debt: And albeit the moveable goods are ſold for leſs than they are worth, yet is the Debt without remedy; and it ſhall be imputed to his own folly, that he would not ſell them himſelf, when he might.

VI. If the Debtor have no moveables, whereupon the debt may be levied, he ſhall be impriſoned, and there remain until he agree with the Creditor; and if he be in want, the Creditor ſhall find him bread and water, which the priſoner ſhall alſo ſatisfie before he be enlarged: a Merchant-ſtranger ſhall alſo be ſatisfied for his ſtay about the ſaid buſineſs.

VII. If the Debtor have ſureties, they ſhall be bound and proceeded againſt in like form, as is before declared againſt the Debtor; Howbeit, ſo long as the Debt may be levied of the goods moveable of the Debtor, his pledges or main-pernors ſhall be without damage.

VIII. Stat. *De Mercatoribus*, 13 E. 1. The Merchant ſhall cauſe his Debtor to come before the Mayor of *London*, or before ſome chief Warden of a City, or other good Town, where the King ſhall appoint, and before the Mayor or chief Warden, or other diſcreet men choſen and ſworn thereto, when the Mayor or chief Warden cannot attend, and before one of the Clerks, that the King ſhall therein aſſign when both cannot attend, and to acknowledge the Debt and Day of payment, which recogniſance ſhall be enrolled by one of the ſaid Clerks hands, being known, and the Roll ſhall be double, whereof one part ſhall remain with the Mayor, or chief Warden, and the other with the ſaid Clerk.

IX. Then one of the Clerks ſhall write an Obligation, whereunto the Seal of the Debtor ſhall be put together with the Kings Seal provided for that purpoſe; which Seal ſhall have two pieces, whereof one part ſhall remain with the Mayor or chief Warden, and the other with the aforeſaid Clerk.

X. If the Debt be not paid at the day, upon the Merchants compt, the Mayor or chief Warden ſhall cauſe the Debtor to be impriſoned (if he be Lay, and in their power) there to remain at his own coſts, until he have agreed the debt; And the Keeper of the Priſon there ſhall receive him, in pain to anſwer the debt himſelf, (if he be not able) he that committed the Priſon to his keeping.

XI. If the Debtor cannot be found by the Mayor, or chief Warden, they ſhall ſend the Recogniſance under the Kings Seal into the Chancery, from whence ſhall iſſue a Writ to the Sheriff of the County, where the Debtor is, to take his body (if he be Lay) and ſafely to keep him in priſon, until he agree the debt; And with-

a quarter of a year after he is so taken, his goods and lands shall be delivered unto him, to the end he may pay the debt, within which time the sale of his lands shall be good.

XII. If he do not satisfie the debt within that quarter, all his lands and goods shall be delivered to the Merchants, by a reasonable extent, to hold them, untill the debt be wholly levied, nevertheless, his body shall still remain in prison, and the Merchant shall find him bread and water.

XIII. The Merchant or his assigning shall have such Seisin in the said lands, that he may maintain a Writ of *Novel Disseisin*, if he be put out, and a *re-disseisa* also as of a free-hold to him & his assigns, untill the debt be paid; but when the debt is levied, the body of the Debtor shall be delivered, together with his lands.

XIV. In the Writ awarded by the Chancellor, the Sheriff shall be directed to certifie the Justices of one of the Benches at a certain day, how he hath performed the service, and then the Merchant shall sue before the said Justices, if he be not satisfied.

XV. If the Sheriff make no return of the Writ, or return a *tarde*, or that he hath directed to the Bailiff of some Franchise, the Justice shall proceed according to the Statute of *Westminster*, 2 *Chap.* 39. *which see in return of Sheriffs and Bailiffs.*

XVI. If the Sheriff return a *Non est inventus*, or that he is a Clerk, the Merchant shall have Writs to all the Sheriffs, where he hath any land, that they shall deliver him all the goods and lands of the Debtor, by a reasonable extent, to hold to him and his assigns in form aforesaid; nevertheless, he may also have a Writ to what Sheriff he will, to take his body (if he be Lay) and to detain him in manner aforesaid, and the keeper must answer the body, or the debt; but yet the Debtor may sell the lands so the Merchant be not damnified by the appraisement.

XVII. Here, the Merchant shall be always allowed their damages, and all necessary and reasonable costs for their labours, suits, delays and expences.

XVIII. If the Debtor have sureties, the like course shall be taken against them, as above limited to be taken against the principal.

XIX. All the lands in the hands of the Debtor at the time of the Recognisance acknowledged are chargeable, in whose hands soever they come afterwards; but after the debt satisfied, they shall return to the Grantees, as also the rest to the debtor.

XX. If the debtor or his sureties die, the Merchant shall not take the body of his heir, but shall have his lands, as aforesaid, if he be

of age, or at his full age, untill he hath levied his Debt.

XXI. There shall be also another Seal provided, that shall serve for Fairs, and shall be sent to every Fair under the Kings Seal by a Clerk sworn, or by a keeper of the Fair.

XXII. Of the Communalty of *London*, there shall be two Merchants chosen and sworn, and the Seal shall be opened before them, whereof one piece shall be delivered to the said Merchants, and the other shall remain with the Clerk.

XXIII. Before these Merchants, or one of them, the Recognisances shall be taken, and before they be enrolled, the pain of the Statute shall be openly read before Debtor, that he may not afterwards excuse himself by ignorance of the said pain.

XXIV. For the Clerks maintenance, the King shall take a peny for every pound, where the Seal is, except in Fairs, and there peny half peny.

XXV. This Act shall be from henceforth observed throughout *England* and *Ireland*; between any that will make Recognizances, except *Jewes*, to whom it doth not extend.

XXVI. By this Statute, the Writ of Debt shall not be abated, neither shall the Chancellor, Justice of either Bench, or Justices Errants be hereby stopped to take recognisances of debts, before them acknowledged, and to issue execution thereupon, as hath heretofore been used.

XXVII. *Breve fundatum super Statum prædictum.*

Rex Vic. salutem. Quia coram tali Majore vel Custode talis villæ, &c. coram Custode sigilli nostri de Mercatoribus in nundinis de tali loco, & clerico nostro A. Recognovit debere B. tantum, quod solvisse debuit tali die & tali anno, quod idem B. Nondum solvit ut dicit: Tibi præcipimus quod corpus prædicti A. (si laicus sit) capias, & in prisona nostra salvo custodiri facias, quousq; de prædicto debito satisfecerit; & qualiter hoc præceptum nostrum fueris executus, scire facias Justiciariis nostris apud Westm. per literas tuas sigillatas, & habeas ibi hoc breve. Teste, &c.

XXVIII. Stat. 14 E. 3. 11, The Clerk of the Statute shall be resident upon his Office, and shall have lands sufficient in the said County, whereof he may answer to all persons if he offend.

XXIX. Stat. 8 R. 2. 4. No Judge or Clerk shall make any entry of Pleas, raise any Roll, or change any Verdict, in pain to be punished by fine and ransome at the Kings will.

XXX. Stat. 5 H. 4. 12. When a Statute-Merchant hath been certified into the Chancery, and thereupon a Writ awarded to the Sheriff, and returned into the Common Pleas, and the Statute there once shewed, albeit the process thereof be after that discontinued,

yet the party shall have the process re-continued, and shall also have re-execution upon the same Statute, without shewing it again to the Court.

XXXI. *Stat.* 11 *H.* 6. 10. He that sueth for a *Scire facias* in Chancery, to defeat an Execution upon a Statute-staple, shall find surety both to the King and the Recognizee to prosecute his Suit with effect, &c.

XXXII. *Stat.* 23 *H.* 8. 6. The Chief Justices of the Kings Bench and Common Pleas, or either of them, or (in their absence out of the Term) the Mayor of the Staple at *Westminster*, and the Recorder of *London*, jointly together, shall have power to take Recognisances for the payment of Debts, in this form following:

XXXIII. *Noverint universi per præsent. nos A. B. & D. C. teneri & firmiter obligari Johanni Style in cent. libr. Sterling, solvendis eidem Johanni, aut suo certo Attornat. hoc script. ostend. hered. vel execut. suis in tal. fest. &c. proxim. futur. post. dat. præsent. & si defecero, vel defecerimus in solutione debit prædict. Vobis, & concedimus & concedimus quod tunc currat super me hered. & execut. meos,* vel, *super nos, & eorumlibet nostrum hered. & execut. nostros pœna in statuto Stapul. de debit. pro Merchandisis in ead. emptis recuperand. ordinat. & provis. dat. tali die, Anno Regni Regis, &c.*

XXXIV. Such Obligation shall be sealed with the Seal of the Recognisor or Recognisors; as also with such a Seal as the King shall appoint for that purpose, and with the Seal of one of the Chief Justices, or the Seals of the said Mayor of the Staple, and Recorder, and every of the said Justices, and the said Mayor and Recorder, shall have the custody of one such Seal, to be appointed by the King as aforesaid.

XXXV. The Clerk of the Recognisances (to be also appointed by the King) or his sufficient Deputy or Deputies shall write and inroll such Obligations in two several Rolls indented, whereof one shall remain with such of the said Justices, or with the said Mayor and Recorder that take such Recognisances, and the other with the writer thereof: Also such Clerk or his Deputy or Deputies shall be dwelling or abiding in *London*, and shall not be absent from thence by the space of two daies, in pain to forfeit 10 *l.*

XXXVI. The Clerk or his Deputy (at the request of the Creditors, their Executors or Administrators) shall certifie such Obligations in the Chancery under his or their Seal.

XXXVII. The Recognisees of such Obligations, their Executors and Administrators, shall have in every point, degree and condition, against the Recognisers, their Heirs, Executors and Administrators,

such Process, Execution, commodity, and advantage, as hath been had upon an Obligation of the Statute of the Staple, and shall also pay like Fees for the same.

XXXVIII. Here the Recognisor so bounden, or otherwise grieved by such an Obligation, shall have like remedy by *Audita Querela*, and all other remedies in the Law; as upon Obligations of the Statute of the Staple.

XXXIX. Upon the sealing of the process for the execution of every such Obligation, the King shall have an half-peny in the pound.

XL. The Tenant by such a Recognisance, his Executors or Administrators being outed, shall have like remedy, as upon an Obligation of the Statute of the Staple.

XLI. The Justices, or the Mayor and Recorders fee for taking such a Recognisance, is 3 *s.* 4 *d.* and the Clerks fee is as much, and his fee for certifying such an Obligation, is 20 *d.* And none of them shall take more, in pain of 40 *l.*

XLII. From henceforth, the Mayor or Constable of the Staple, shall take no Recognisance of the Statute of the Staple, in pain of 40 *l.* except between Merchants, being free of the same Staples, for Merchandize of the said Staple, between them lawfully bought and sold.

XLIII. The forfeitures above-said, are to be divided betwixt the King and the prosecutor, and proved by Information, Action of Debt, Bill, or Plaint, in which no Essoin, &c. shall be allowed.

XLIV. *Stat.* 16 & 17 *Car.* 2. *Cap.* 5. When any Judgement, Statute, or Recognisance shall be extended, it shall not be avoided or delayed, by occasion of omission of any part of the Lands or Tenements extendible, saving always the remedy of contribution against such persons whose Lands be or shall be extended out of such Extent from time to come.

XLV. Provided, This Act give no extent or contribution against any heir within the age of 21 years, during such minority, further then might have been before this Act.

XLVI. Provided, This Act extend only to such Statutes as be for payment of moneys: And to such Extents as shall be within 7 years after the Statute, Recognisance, or Judgement had.

This Act to continue 3 years, and from thence to the end of the next Session of Parliament, and no longer.

Records

Records.

I. Stat. 9 E. 3. 5. Justices of Assize, Goal-delivery, and *Oyer* and *Terminer*, shall yearly at *Michaelmas* send all their Records and Processes (determined and put in execution) into the Exchequer, which the Treasurer and Chamberlains there shall receive under their seals, and keep them in the Treasury: Howbeit the said Justices shall first take out the Estreats of the said Records and Processes, to send them to the Exchequer, as they were wont to do.

Recoveries.

I. Stat. 7 H. 8. Recoverers of Manors, Lands, Tenements, and Advowsons, their Heirs and Assigns, may distrain for Rents, Services and Customs due and unpaid, and make avowry, and justifie the same, and have like remedy for recovering them, as the Recoverer might have done or had; Albeit the said Recoverers were never seised thereof: And shall also have a *Quare Impedit* for an Advowson, if (upon a Voydance) any disturbance be made by a stranger, as the Recoverers might have had, albeit they were never seised thereof by presentation.

II. Here every Avowant, or Bailiff in any *Replegiarie*, or second Deliverance, if their Avowry, Conusance, or justification be found for them, or the Plaintiff be otherwise barred, shall recover his damages and costs.

III. Stat. 21 H. 8. 15. A Termer for years, may falsifie a feigned Recovery had against them in the Reversion, and shall retain and enjoy his Term against the Recoverer, his Heirs and Assigns, according to his Lease.

IV. Also the Recoverer shall have like remedy against the termer, his Executors or Assigns, by Avowrie, or Action of Debt for Rents and Services reserved upon such Lease, and due after such recovery, and also like action for waste done after such recovery, as the lessor might have had, if such recovery had never been.

V. No Statute of the Staple, Statute-Merchant, or execution by Elegit, shall be avoided by such feigned recovery, but such tenants shall also have like remedy to falsifie such recoveries, as is here provided for the Lessee for years.

VI. Stat. 34, 35 H. 8. 20. No feigned recovery hereafter to be had by assent of parties, against any tenant or tenants in tail of any

Lands, Tenements, or Hereditaments, whereof the reversion or remainder at that time of such recovery had, shall be in the King, shall bind or conclude the Heirs in tail, whether any condition or *Voucher* be had in any such feigned recovery, or not, but that after the death of every such tenant in tail, against whom such recovery shall be had, the heirs in tail may enter, hold, and enjoy the lands, tenements, and hereditaments so recovered, according to the form of the gift in tail, the said recovery notwithstanding.

VII. And here the Heirs of every such Tenant in tail, against whom any such recovery shall be had, shall take no advantage for any recompence in value against the *Voucher* or his heirs.

VIII. This Act shall not extend to prejudice the Lessee or Lessees of any such Tenant in tail, made in writing indented of any Manors, Lands, *&c.* for 21 years, or three lives, or under, whereupon the accustomed rent, or more, is or shall be yearly reserved during the same Term or Terms; but the same Lessee or Lessees, shall injoy his or their Term or Terms, according to the Statute of 32 H. 8. (*which see in Leases*) this Act notwithstanding.

IX. Stat. 14 El. 8. All recoveries had or prosecuted (by agreement of the parties, or by covin) against Tenants by the curtesie, Tenants in tail after possibility of issue extinct, for term of life or lives, or of estates determinable upon life or lives, or of any lands, tenements, or hereditaments, whereof such particular tenant is so seised, or against any other, with *Voucher* over of any such particular tenant, or of any having right or title to any such particular estate, shall from henceforth (as against the reversioners, or them in remainder, and against their heirs and successors) be clearly void.

X. This Act shall not prejudice any person, that shall by good title recover any lands, *&c.* without fraud, by reason of any former right or title: Also every such recovery had by the assent and agreement of the person in reversion or remainder, appearing of record in any of the Queens Courts, shall be good against the party dissenting.

Re-disseisin.

I. Merton. 3, 20 H. 3. If any be disseised of their free-hold before the Justices in *Eyre* hath recovered seisin by Assise of Novel disseisin, or by confession of the disseisors, and hath had seisin delivered by the Sheriffe, if afterwards the same disseisors disseise the Plaintiff of the same free-hold, and be thereof convict, they shall be imprisoned, untill the King hath discharged them by redemption, peregrination of Assize, Judgement, or some other way.

This

II. This is the form of punishing of such convict persons: The Plaintiff shall procure a Writ from the Kings Court, directed to the Sheriff, and containing the plaint of desseisin done upon disseisin: by this Writ the Sheriff shall be commanded, that he, taking with him the Keepers of the Pleas of the Crown and other lawful Knights, shall in proper person, go to the Land or Pasture, whereof the plaint was made, where, if they find him disseised again, the Sheriff is to do, as is above provided, but if not, the Plaintiff shall be amerced, and the other shall go quit: Howbeit, the Sheriff shall not execute any such plaint without the Kings special Command.

III. There is the Law for such as recover their seisin by Assize of *Mortdauncester*, or by Enquests, if they be re-disseised by the first disseisors.

IV. **Marlb.** 8. 52 H. 3. Persons imprisoned for *re-disseisin* shall not be delivered with the Kings special command, and shall make fine to the King for their trespas: And if the Sheriff deliver any contrary to this Ordinance, he shall be grievously amerced, and yet the persons so delivered shall be also grievously punished for their trespass.

V. **West.** 2. 26. 13 E. 1. In Writs of *re-disseisin*, double damages shall be awarded, and the re-disseisors shall not be repleviable by the common Writ.

VI. Those that recover by default, redition, or otherwise, without recognition of Assises or Juries, shall have Writs of *re-disseisin*, as well those which recover by Assize of *Novel disseisin*, *Mortdauncester*, or other Juries, provided for by the Statute of *Merton*, 29.

Relief.

I. **Magna Cart.** 2. When Lands holden of the King in chief by Knights-service, descend to an heir of full age; The reliefs are as followeth: For an Earldome, 100 *l.* For a Barony, 100 Marks. For one whole Knights fee, 100 *s.* And he that hath less, shall give less, according to the old custom of the fees.

Religion.

I. **Stat.** 14 *Ca.* 2. *Ca.* 4. The Stat. of 1 *Eliz. Ca.* 2. recited, for uniformity of Common Prayer, and considered by certain Commissioners appointed by the King, for reviewing and altering the same: and afterward being also reviewed by the Convocation: The said Book of Common Prayer so altered, &c. is allowed and recommended

mended to the Parliament by the King, to be used under such sanctions and penalties, as the Houses of Parliament shall think fit; the same is enjoyned to be read in all Churches, Chappels, and places of publick Worship in *England*, *Wales*, and Town of *Berwick* upon Tweed, in such order as is enjoyned by the said Book annexed to the said Act.

II. Every Parson, Vicar, or other Minister in possession of an Ecclesiastical Benefice, enjoyned to read the Common Prayer upon some Lord's day, morning and evening, before the Feast of St. *Bartholomew* 1662. and after such reading the same, make the Declaration therein as followeth.

I, A. B. *do here declare my unfeigned assent, and consent, and every thing contained, and prescribed in, and by the Book intituled, The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church of* England, *according to the use of the Church of* England, *together with the Psalter, or Psalms of* David, *pointed as they are to be sung, or said in Churches; and the form, or manner of making, ordaining, and consecrating of* Bishops, Priests, *and* Deacons. *Upon penalty, there being no lawful impediment, and within one month after such impediment removed, of being deprived ipso facto, as if the person neglecting, or refusing so to do were dead.*

III. All Parsons, Vicars and Ministers, to be after presented, or put into any Ecclesiastical Benefice, enjoyned to read the Common Prayer as aforesaid, and to make the aforesaid Declaration, within two months after they shall be in actual possession, upon the same penalty aforesaid.

IV. All Incumbents, that reside upon their livings, and keep Curates, shall once every month themselves read the said Common Prayer, upon pain of forfeiture of 5 *l.* to the use of the poor of the Parish, upon conviction by two credible Witnesses before two Justices of the Peace, to be levied by distress and sale of the offenders goods, by Warrant from the said Justices to the Churchwardens or Overseers of the poor, if not paid within ten dayes.

V. All Deans, Canons, Prebendaries, Masters, Fellows of Colledges, *&c.* Parsons, Vicars, Lecturers, School-masters, *&c.* enjoyned to take and subscribe the Declaration following.

I, A. B. do declare, that it is not lawful upon any pretence whatsoever, to take Arms against the King, and that I do abhor that traiterous position of taking Arms by his Authority against his Person, or against those that are Commissioned by him: And that I will conform to the Liturgy of the Church of *England*, as it is now by

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Law established. And I do declare, that I do hold there lies no obligation upon me, or any other person from the Oath, commonly called the Solemn League and Covenant, to endeavour any change, or alteration of Government, either in Church or State; And that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm, against the Known Laws and Liberties of the Kingdom.

The same shall be subscribed by the Heads of Colledges, &c. in the Universities before the Vicechancellor or his Deputy. And before the Archbishop or Ordinary of the Dioces by every other person, upon pain of forfeiture, and loss of their places as if dead.

VI. Schoolmasters or Tutors, that shall teach any youth in any private house without licence from the Archbishop, or Ordinary of the Dioces, shall for the first offence suffer 3 months imprisonment; for every second, or other 3 months imprisonment, and forfeit 5 l.

VII. Every Parson, Vicar, Curate and Lecturer, after subscription made, shall procure a Certificate under the hand and seal of the Archbishop, Bishop, or Ordinary of the Dioces, and publickly read the same, together with the said Declaration upon some Lords-day, within 3 months then next following, in his Parish-Church where he is to officiate in the presence of the Congregation there assembled, in the time of Divine-Service, upon pain of being deprived, *ipso facto*, and his place void, as if dead.

VIII. After the 25th. of *March*, 1662. the words following, part of the Declaration shall be omitted, *viz.*

And I do declare, that I do hold there lies no obligation on me, or any other person from the Oath commonly called the Solemn League and Covenant, to endeavour any change, or alteration of Government, either in Church or State, and that the same was in it self, an unlawful Oath, and imposed upon the Subjects of this Realm against the known Laws and liberties of this Kingdom: and none shall thenceforth subscribe or read the same.

IX. No person not ordained according to the form of Episcopal Ordination, shall hold any Benefice with cure or Ecclesiastical promotion: nor be capable of any such benefice, nor administer the Sacrament, not being ordained a Priest, according to the form of the foresaid Book, upon pain to forfeit for every offence 100 l. one moyety to the King, the other moyety to the party that will sue for the same.

X. Provided, the penalties in this Act, extend not to Aliens of forein reformed Churches allowed by the King.

Provided

XI. Provided no title of laps accrue by any avoidance or deprivation by this Act, but after six months after notice given by the Ordinary to the Patron, or such sentence of deprivation openly read in the Parish Church, becoming void by this Act.

XII. No other Form of Common Prayer shall be used in any Church, Chappel, or publick place, Colledge or Hall of the Universities: And all Governors and Heads of Colledges in the Universities, shall within a month after admission to his place, openly in the Church, Chappel, or publick place of the Colledge, in the presence of the Fellows and Scholars of the same, subscribe the 39 Articles of Religion mentioned in the Stat. 13 El. Car. 12. and declare his approbation of the said Book of Common-Prayer: And all the said Governours or Heads shall read the morning Prayer, according to the said Book, once every quarter publickly in their Church, Chappels, or other publick place, upon pain of suspension for six months from their place; and if he shall not subscribe to the said Articles and Book within the said six months, then the place to be void.

Provided the said Book may be used in Latine in Colledges.

XIII. None shall preach or read as a Lecturer without Licence of the Archbishop, or Bishop of the Diocess. And all Lecturers shall declare their consent to the 39 Articles aforesaid, and shall openly read the Common-Prayers, and declare their approbation thereof, and shall read the same the first Lecture-day of every month, and after reading, declare their approbation thereof, upon pain to be disabled to preach or read any Lecture, until he shall conform.

XIV. Provided, it shall suffice, that Lecturers in Cathedral Churches, only declare their assent to the said Book.

XV. If any person so disabled, shall preach any Lecture or Sermon: the person so offending, shall suffer three months imprisonment in the common Gaol: And any two Justices of the Peace, and the Mayor, or other chief Officer of any City or Town Corporate, upon Certificate from the Ordinary of the place made to him or them, of the offence committed, shall commit the person offending to the Gaol accordingly.

XVI. The Common-Prayer shall be read before every Sermon or Lecture, and the Lecturer that shall preach, shall be present at the same: Provided this Clause extend not to Sermons or Lectures, preached as publick University Sermons.

XVII. The several Laws and Statutes formerly made for uniformity of Prayer, and now in force, shall be put in ure for punishment of offences against the Book established by this Act, 1 El. Ca.

Ca. 2. 23 *El. Ca.* 1. Proviſo, the names of the King and Queen, be ſitted in the Prayers, Letanies and Collects, according to the preſent occaſion.

XVIII. The Books of Common-Prayer ſhall be provided by every Parish, Chapelry, Cathedral Church, College and Hall, upon penalty of 3 *l.* a month, for lack thereof for every month after St. *Bartholomews* day, 1662.

XIX. Proviſo, That the Biſhops of *Hereford*, St. *Davids*, St. *Aſaph* Bangor and *Landaff*, do take care for tranſlating the ſaid Book into the *Welſh* Tongue, for Printing and providing the ſame in every Parish there.

XX. True Copies of the ſaid Book of Common-Prayer, ſhall be exemplified under the great Seal of *England*, and kept in the ſeveral Courts of *Weſtminſter*, and *Tower* of *London*, to be produced and ſhewed forth in Court as need ſhall be.

XXI. Provided this Act be not prejudicial to the Kings Profeſſor of Law in the Univerſity of *Oxford*, concerning the Prebend of *Shipton*, in the Cathedral Church of *Sarum*, united to the ſaid profeſſors place by King *James*.

XXII. Proviſo, whereas the clauſe in the 36th. Article, mentions the Book eſtabliſhed by K. *E.* 6. It ſhall extend to the Book of Common-Prayer, eſtabliſhed by this Act. See the precedent Laws of this matter, Title Crown, and Title Service and Sacraments.

XXIII. Stat. 15 *Car.* 2. Ca. 6. Stat. 3. An Act for relief of ſuch perſons as by ſickneſs or other impediment, were diſabled from ſubſcribing the Declaration in the Act of Uniformity, and explication of part of the ſaid Act.

XXIV. Stat. 15 *Car.* 2. *Ca.* 5. Stat. 3. Every Veſtry-man in the Pariſhes of *London*, and other Corporations, enjoyned to make and ſubſcribe before the Arch-Biſhop, or *&c.* the Declaration, and acknowledgment in the late Act, intituled, An Act for Uniformity of publick Prayers, *&c.* This Act to continue in force to the end of the firſt Seſſion of the next Parliament, and no longer.

Rents.

I. Stat. 23 H. 8. 37. The Executors or Administrators of tenants in Fee-simple, in Fee-tail, or for term of life, of rent-services, rent-charges, rent-secks, and fee-farms, unto whom any such rent or fee-farm was due, and unpaid at the time of his death, shall have an Action of debt for all the arrearages thereof against the tenant or tenants that ought to have paid them to their Testator, or against the Executors or Administrators of such tenant or tenants; and shall also distrain for the said arrearages upon the lands chargeable therewith, so long as they continue in the seisin or possession of such tenant in Demesne, or of any other person pr claiming, by or from him, in like manner as their Testator might have done: And the said Executors or Administrators shall likewise for the same distress lawfully make avowry upon the matter aforesaid.

II. This Act shall not extend to any Manor, Lordship, or Dominion in *Wales*, or the Marches thereof, where the Inhabitants have used time out of mind, to pay to every Lord or Owner of such Manors, &c. at their first entry into the same, any sum or sums of money, for the discharge of all duties, forfeitures and penalties wherewith the inhabitants were chargeable to any of their said Lords, Ancestors, or Predecessors before their such entry.

III. If any person hath in right of his wife any estate in Fee-simple, Fee-tail, or for term of life, in any such rents or Fee-farms, and the same happen to be due and unpaid in his Wifes life, such husband, after the death of his wife, his Executors and Administrators shall have an action of Debt for the said arrearages, against the tenant of the Demesne, that ought to have paid the same, his Executors or Administrators, and shall likewise distrain for the same, and make Avowry, as he might have done if his Wife were living: The like power hath tenant *per auter vie* for arrearages due and unpaid in the life time of *Cestuy que vie*.

Repleader.

I. Stat. 32 H. 8. 30. In all Actions after issue had, there shall be judgment given, notwithstanding any mis-pleading, lack of colour, insufficient pleading, or *Jeofaile*, Mis-continuance, Dis-continuance, mis-conveying of Process, mis-joyning of issue, lack of warrant of Attorney of the party against whom the issue shall be tryed, or any other default or negligence of any of the parties, their Counsellors or Attorneys.

Provi-

II. Provided, that every Attorney shall deliver, or cause to be delivered, his or their sufficient and lawful Warrant of Attorney, to be entred of Record for every Action or suit wherein he is named Attorney, to the Officer or his Deputy, ordained for the receipt and entring thereof, in the same Term, when the issue of the said Action is entred of Record, or before, in pain to forfeit 10 l. to the King, and to suffer imprisonment at the discretion of the Justices of the Court, where such Action depends.

Replevin of Cattel.

I. Marlb. 21. 52 H. 3. If Beasts be taken, and wrongfully withholden, the Sheriff, (upon complaint thereof) may deliver them, without lea or gainlaying of him that took them, if they were taken out of Liberties; but if within any liberties, and the Bailiffs thereof will not deliver them, the Sheriff upon such Bailiffs default, shall cause them to be delivered.

II. West. 2. 2. 13 E. 1. Where, upon Replevins, Lords cannot obtain Justice in Counties, and other inferiour Courts against their tenants, when such Lords are attached at their tenants suit, a Writ shall be granted them (*viz.* a *Recordare*) to remove the plea before the Justices, where Justice shall be done them; And the cause shall be inserted in the Writ, *viz.* because such a man distrained in his fee for services and customs to him due.

III. Here, the Avowry shall be upon the seisin of any Ancestor, or Predecessor; since the time that a Writ of *Novel disseisin* hath run.

IV. The Sheriff or Bailiffs shall not only take pledges of the Plaintiff to prosecute his suit, but also return the Cattel, in case return be awarded; And if pledges be otherwise taken, he shall answer the Lord for the price of the Beasts, to be recovered by Writ; And if the Bailiff be not able to restore them, his superiour shall do it.

V. If after return once awarded, the Beasts are again replevied, so soon as the return of the Beasts is the second time awarded, the Sheriff shall be commanded by a judicial Writ, to make return thereof to the distrainer, in which Writ it shall be expressed, that the Sheriff shall not deliver them without a Writ making mention of the Judgment given by the Justices, and such Writ is to issue out of the Rolls of the said Justices; after which, if the Plaintiff desire to replevy his Beasts, he shall have a Judicial Writ (*viz.* a *writ of second deliverance*) that the Sheriff taking surety for the suit, and also for the beasts to be returned, or their price (if return be awarded) shall deliver the Beasts before returned, and the distrainer shall be

attached

attached to come before the Justices at a certain day; and if he that replevied make default, or for some other cause, return of the distress is awarded (being now twice replevied) the distress shall afterwards remain unreplevied.

Receipt.

I. The Statute of *Gloucester*, 11.6 E.1. When a man leaseth his tenement in *London*, and he in reversion or remainder, causeth himself to be impleaded by Collusion, and to make the termor lose his term, loseth by default, or giveth it up; In this case, the Mayor and Bailiffs may enquire by Enquest, whether such plea was moved upon good right, or by covin; and if it be found that it was upon good right, Judgment shall be forthwith given; but if it be found by them to cause the termor to lose his term, the termor shall enjoy his term, and the execution of the Judgment for the demandant shall be suspended until the term be expired: In like manner shall it be in equity before the Justices, if the termor challenge it before the Judgment.

II. Stat. *De defensione Juris*, 20 E. 1. When any one demandeth tenements by the Kings Writ, and a stranger before Judgment comes in by a Collateral title, and desireth to be received, before his receipt, he shall find sufficient surety (as the Court will award) to satisfy the demandant the value of the lands so to be received from the day that he is so received, until final judgment given to the demandant.

III. Here, if the demandant recover, the defendant shall be grievously amerced, and if he have not whereof, he shall suffer imprisonment at the Kings pleasure; but if he can prove his right, he shall go quit.

IV. Stat. 13 R. 2. 17. If any tenant for life, in Dower, by the Law of *England*, or in tail after possibility of issue extinct be impleaded, and he in the reversion come into the Court, and pray to be received to defend his right, at the day that the tenant pleaded to the Action, or before; he shall be then received to defend his right, and after such receipt, the business shall be hasted as much as may be by the Law without any delay whatsoever of either side: but therefore here days of grace shall be given by the discretion of the Judges between the demandant and the party so received, and not the common day in plea of land, unless the demandant will thereunto consent, lest the demandants may be too much delayed, because they must plead to two adversaries.

V. Hay-

V. Howbeit they in the reversion, who so pray to be received, shall find sureties for the issues, of the tenements demanded for the time that the demandants be delayed, after the plea determined between the demandants and tenants, if the Judgment pass for the demandant against them in the reversion, as well as where the receit is counter-pleaded, as where it is granted.

Residence.

I. Britt. Cler. 8. 9 Edw. Such Clerks as attend in the Kings service, if they offend, shall be corrected by the Ordinaries, as others be; Howbeit, so long as they be imployed about the Exchequer, they shall not be bound to keep residence in their Churches. *To this was added by the Kings Council:* The King and his Ancestors time out of mind have used, that Clerks, who are imployed in his service, during the time they are so in his service, shall not be compelled to keep residence in their Benefices, and such things as be thought necessary for the King and Common-wealth, ought not to be prejudicial to the Church.

II. Stat. 21 H. 8. 13. No spiritual person shall take to farm (to himself, or to any other for his use) any lands or other hereditaments for life, year, or at will, in pain to forfeit ten pounds for every month he so continues the same, to be divided betwixt the King and the prosecutor.

III. This Act shall not extend to any spiritual person for taking to him any temporalities (during the time of vacation) of any Archbishopricks, Bishopricks, Abbeys, Priories, or Collegiate, Cathedral, or Conventual-Churches; nor to any such person who shall render, or make any traverse upon any Office, concerning his Freehold.

IV. No spiritual person shall (by himself, or any other for his use) buy to sell again for profit, any cattel, victuals, or Merchandize whatsoever, in pain to forfeit treble the value thereof, to be divided betwixt the King and the prosecutor, and every such bargain shall be void.

V. Howbeit a spiritual person may buy Horses, Mares, Cattel, or other goods, for his necessary use and imployment, and in case they happen not fit for his turn, may sell them again, so as this be done without fraud or covin.

VI. Also Abbots, Priors, Abbesses, Prioresses, Provosts, Presidents, and Masters of Colledges and Hospitals, and all other spiritual Governours and Governesses of any Houses of Religion, lands

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of the yearly value of 800 Marks or under, may use and occupy so much thereof for the maintenance of their houses, as they or any of their Predecessors have done within 100 years last past, notwithstanding this Act.

VII. Likewise Spiritual persons, not having sufficient Glebe or Demesne lands in right of their Churches or houses, may (notwithstanding this Act) for the only expences of their houses, and for their carriages and journeys, take in farm other lands, and buy and sell corn and cattel for the only manurance and pasturage of such Farms, so as it be done for such purposes only without fraud or covin.

VIII. If any person having a Benefice with cure of Souls, being of the yearly value of 8 l. or above, accept another with cure of Souls, and be Instituted and Inducted in possession of the same, immediately upon such possession thereof, the first Benefice shall be adjudged void; and then it shall be lawful for the Patron thereof to present another, as if the Incumbent had dyed or resigned, any license, union, or other dispensation to the contrary notwithstanding.

IX. Every license, union, or other dispensation obtained contrary to this Act, shall be void. And none shall obtain (from Rome or elsewhere) any license, union, toleration, or dispensation to receive any Benefice with Cure, in pain of 40 l. to be divided between the King and the Prosecutor.

X. Provided, that every Spiritual person of the Kings Council may purchase license or dispensation, to keep three Benefices with Cure, and the Chaplains of the Kings, Queens, the Kings Children, Brethren, Sisters, Unkles or Aunts, may so keep each of them two.

XI. Also an Archbishop and Duke may have each of them to Chaplains, a Marquess and Earl five, a Viscount and other Bishops four, the Chancellor, every Baron and Knight of the Garter three; Every Dutchess, Marchioness, Countess, and Baroness being Widows two; the Treasurer and Comptroller of the Kings House, the Kings Secretary, and Dean of his Chappel, the Kings Almoner, and Master of the Rolls, each of them two; And the Chief Justice of the Kings Bench, and Warden of the Cinque-ports, each of them one; And each of the aforesaid Chaplains may purchase license or dispensation to keep two Benefices.

XII. Likewise the brethren and sons of Temporal Lords (born in wedlock) may purchase such license or dispensation to keep as many Benefices with Cure, as the Chaplains of a Duke or Archbishop

and the brethren or sons (born in wedlock) of every Knight may keep two.

XIII. Provided, that the aforesaid Chaplain shall exhibit (where need shall be) Letters under the Sign or Seal of the King or other their Lord and Master, testifying whose Chaplains they be, or else not to enjoy such plurality of Benefices.

XIV. Also Doctors and Batchelors of Divinity, Doctors of Law, and Batchelors of Law-Canon, admitted to their degrees by any of the Universities of this Realm, and not by Grace only, may purchase such license to keep two Benefices with Cure.

XV. And because Archbishops must use (at consecration of Bishops) eight Chaplains and Bishops (at giving of Orders and Consecration of Churches) six, every of them may have two Chaplains over and above the number limited.

XVI. Every Spiritual person, that is advanced (by colour of this Act) to keep more Benefices with Cure, then is above limited, shall incur the penalty above provided by this Act.

XVII. Every Spiritual person, promoted to any Arch-Deaconry, Deanry, or Dignity in a Monastery or Cathedral Church, or other Church, Conventual or Collegiate, or being Beneficed with any Parsonage or Vicarage, shall be personally resident and abiding upon his said Dignity, Prebend, or Benefice, or at one of them at least, in pain to forfeit, for not being so resident by the space of a month together, or of two months (to be accounted at several times in any one year) the sum of 10 l. to be divided betwixt the King and the Prosecutor.

XVIII. None shall obtain (from *Rome*, or elsewhere) any license or dispensation to be non-resident, in pain of 20 l. to be forfeited, as aforesaid.

XIX. Howbeit, this Act shall not extend to any Spiritual person, being in the Kings service beyond Sea, or upon a pilgrimage beyond Sea, during the time that he shall be so in the Kings service, or upon the said Pilgrimage, nor to any Schollar abiding for study (without fraud) at any University within this Realm; nor to any of the King or Queens Chaplains in Ordinary, neither yet to any of the other aboveſaid Chaplains, which shall daily attend to their Lords or Masters households, so long as they so attend, without fraud; nor to the Masters of the Rolls, Dean of the Arches, the Chancellor or Commissary of any Arch-Bishop or Bishop, the twelve Masters of the Chancery, or the twelve Advocates of the Arches (being Clergy men) so long as they execute their Offices or places; nor to any Spiritual person compelled by the injunction of the Lord Chancel-

lor, or the Kings Council, to daily appearance to answer the Law; so long as he shall be so enjoyned.

XX. Also a Spiritual person (being the Kings Chaplain) may accept (of the Kings gift) any Benefices, to what number soever, without the incurring the penalty of this Act; and the King may also license his Chaplains for non-residence upon their Benefices, notwithstanding this Act.

XXI. No Spiritual person shall take in farm any Parsonage or Vicarage, in pain to forfeit 40 s. for every week that he or any other (for his use) so occupies the same, and also ten times the value of the profit or rent that he makes thereof, both which forfeitures are to be divided betwixt the King and the Prosecutor.

XXII. Provided that no Deanary, Archdeaconry, Chancellorship, Treasurership, Chantership, or Prebend in any Cathedral or Collegiat-Church, nor Parsonage that hath a Vicar indowed, nor any Benefice perpetually appropriate, shall be taken to be a Benefice with Cure of Souls.

XXIII. No spiritual person, or any other for his use, shall keep any Tan-house or Brew-house, in pain to forfeit for every month so using the same, 10 l. to be divided as aforesaid: Howbeit, he may here have a Brew-house for his own private use.

XXIV. Every Dutchess, Marquess, Countess or Baroness, Widows, shall retain their priviledges concerning Chaplains, notwithstanding their intermarriages with other persons of a lower degree.

XXV. All Spiritual persons having possessions in right of their houses (above the value of 800 marks) may keep so much thereof, as shall be necessary for the maintenance of their households, notwithstanding this Act: Or may take a dwelling-house with Orchard and Gardens for their dwelling, so as (by colour thereof) they take not liberty to be non-resident.

XXVI. Stat. 25 H. 8. 16. Every Judg of the Kings Bench and Common Pleas, the Chancellor and chief Baron of the Exchequer, and the Kings Attorney and Sollicitor General, may each of them have one Chaplain to be attendant to his person, having one Benefice with Cure, who may be non-resident upon the same.

XXVII. Stat. 28 H. 8. 13. Every Spiritual person above the age of forty years, being Beneficed (the Chancellor, Vice-Chancellor, Commissary, Rulers of Colledges or Halls, Doctors of the Chair, and Readers of Divinity, in either of the Universities, only excepted) shall be resident upon one of their Benefices, according to the Statute of 21 H. 8. 13. upon the pain therein provided for non-residence.

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XXVIII. Alſo every Beneficed perſon, under the age of forty years, abiding in either of the Univerſities, ſhall not enjoy the priviledge of non-reſidence, provided by the ſaid Statute of 21 H. 8. unleſs he be preſent at ordinary Lectures, both in the Houſe and Schools, and in proper perſon perform his exerciſes, according to the Statutes of the Univerſity where he ſo abides.

XXIX. This Statute ſhall not extend to any Reader of any publick Lecture in Divinity, Law Civil, Phyſick, Philoſophy, Humanity, or any of the literal Seiences; nor to Interpreters or Teachers of the Hebrew, Chaldee, or Greek Tongues, in either of the Univerſities; nor yet to any perſon, who ſhall repair thither to proceed Doctor in Divinity, Law or Phyſick, for the time of their proceedings there, according to the Statutes of the ſaid Univerſities.

XXX. Stat. 33 H. 8. 28. The Chancellors of the Courts of the Dutchy of *Lancaſter*, Augmentations, and Firſt-fruits, the Maſter of the Wards, every of the Kings Surveyors General, the Treaſurers of the Kings Chamber, and the ſaid Court of Augmentations, and the Groom of the Kings ſtool, may each of them retain one Chaplain, to be attendant to his perſon, having one Benefice with Cure, who may be non-reſident upon the ſame, Howbeit, every ſuch Chaplain (ſhall at leaſt) twice every year, repair to his Benefice, and abide there eight days at every ſuch time, to viſit and inſtruct his Cure, in pain to forfeit every time ſo failing, 40 l. to be divided betwixt the King and the Proſecutor.

Reſtitution.

I. Stat. 21 H. 8. 11. Where a Felon robbeth or taketh away the money or goods of any, and is thereof found guilty, or otherwiſe attainted by the evidence given by the party himſelf, or others by his procurement, in this caſe the Juſtices of Gaol-delivery, or other Juſtices, before whom he is found guilty or attainted have power to award a Writ of Reſtitution for the money or goods ſo robbed or taken, in like manner as if the Felon were attainted at the ſuit of the party in appeal.

Return of Sheriffs and Bailiffs.

I. Weſt. 2. 39. 13 E. 1. Such as do fear the ill execution of Writs by the Sheriff, ſhall deliver their Writs unto him in open County, or in the tere-County, and ſhall take of him or his under-Sheriff, a Bill, containing the names of the demandants and tenants

mentioned in the Writ, and require the Sheriff or Under-Sheriff to put the ſeal thereunto, and mention ſhall be therein alſo made of the day of the deliverance thereof, and if the Sheriff, or under-Sheriff refuſe to do it, the teſtimony of Knights, and other credible perſons there preſent, do put their ſeals to ſuch Bill, ſhall be taken.

II. If the Sheriff will not return Writs delivered unto him, upon complaint thereof to the Juſtices, a judicial Writ ſhall iſſue to the Juſtices of Aſſize, to inquire by ſuch as were ſo preſent, whether they know of the deliverance thereof, and an Enqueſt ſhall be thereupon returned; and if it be found by them, that the writ was delivered, damages ſhall be awarded to the Plaintiff or Demandant, having reſpect to the quality and quantity of the Action, and the peril he might incur by reaſon of ſuch delay: And this is to prevent a return of the Sheriff by *trade*.

III. And for that the Sheriff ſometime returns a *Mandavi Ballivo* of a Liberty, where there is none ſuch, the Treaſurer of the Exchequer ſhall deliver to the Juſtices in a Roll, all Liberties (in every County) that have return of Writs; and if the Sheriff return a *Mandavi Ballivo* of a Liberty, not contained in the ſaid Roll, he ſhall be puniſhed as a diſheritor of the King and his Crown: And if he return a *Mandavi Ballivo* of a Liberty, that hath return, he ſhall have a *Non omittas propter aliquam libertatem* to do it, and ſhall be commanded to warn the Bailiffs thereof to be ready at a day to be named in the Writ, to anſwer, why they did not execute the King's Precept, when, if they come and acquaint themſelves, that no return was made to them, the Sheriff ſhall be condemned to the Lord of the Liberty, and alſo to render damages to the party grieved by ſuch delay: But if the Bailiffs appear not, or do not acquit themſelves, as aforeſaid, in every Judicial writ (ſo long as the Plea hangeth) the Sheriff ſhall have a *Non omittas, &c.*

IV. As concerning the Sheriffs return of iſſues, if the Plaintiff demand *Oyer* of the Sheriffs return, it ſhall be granted him, and if he aver that the Sheriff might have returned greater iſſues unto the King, he ſhall have a writ Judicial unto the Juſtices of Aſſize to enquire in the preſence of the Sheriff (if he will be there) what iſſues the Sheriff might have returned from the *Teſte* to the return of the Writ: And when the Enqueſt is returned, if he have not before anſwered the whole, he ſhall be charged with the Overplus by eſtreat out of the Exchequer, and beſide, ſhall be grievouſly amerced for the Concealment; And here rents, corn in the grange, and all moveables (except Horſe, harneſs, and houſhold-ſtuff) are impriſoned under the name of *Iſſues*.

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V. The King commands, that the Sheriffs ſhall be puniſhed by Juſtices once or twice (if need be) for ſuch falſe returns; Howbeit, with the third offence none ſhall meddle but the King.

VI. The Sheriff muſt beware of returning a reſcue, for ſuch anſwers tend much to the diſhonour of the King: But when the Bailiffs teſtifie ſuch reſiſtance, forthwith the Sheriff (all other buſineſs laid aſide) taking with him the *Poſſe Comitatus*, he ſhall go in proper perſon to do execution; and if he find his under Bailiffs falſe, he ſhall puniſh them by impriſonment; but if not, he ſhall impriſon the reſiſters, from whence they ſhall not be enlarged without the Kings ſpecial command.

VII. Alſo in caſe of reſiſtance, the Sheriff ſhall certifie the Court of the names of Reſiſters, their Aiders, Conſenters, Commanders, and Favourers, and by a Writ Judicial they ſhall be attached by their bodies to appear in Court, where, if they be convict, they ſhall be puniſhed at the Kings pleaſure. *See this Statute confirmed in Arn. Sap. Chartas, 16. 28 E. 1.*

VIII. **Stat.** 12 E. 2. 5. An Indenture ſhall be made between the Sheriff and Bailiff of a Franchiſe under their names of every return delivered by the Bailiff to the Sheriff; and if the Sheriff change the return ſo delivered, and be thereof convict, he ſhall be puniſhed by the King, and yield to the Lord of the Liberty, and to the party grieved double damages.

IX. Sheriffs and Bailiffs ſhall ſet their names to their returns, in pain to be grievouſly amerced to the Kings uſe.

X. **Stat.** 2 E. 3. 5. At what time and place in the County a man delivereth a Writ to the Sheriff or Under-Sheriff, they ſhall receive the ſame, and make him a Bill, according to the Statute of *weſtm.* 2. 39. without taking any thing for the ſame; and if they refuſe to make ſuch a Bill, others there preſent ſhall ſet to their ſeals, and if the Sheriff or under-Sheriff return not ſuch Writs, they ſhall be puniſhed according to the ſaid Statute. Alſo the ſaid Juſtices of Aſſize ſhall have power to enquire thereof, and to award damages, having reſpect to the delay, and likewiſe to the loſs and damage that might happen.

Revenue. *See Title* King.

Richmond.

I. **Stat.** 26 H. 1. 5. A Statute ſhewing what duties Spiritual

persons Beneficed in the Arch-deaconry of *Richmond* shall take after the decease of any person there.

Rye and Winchelsey.

I. Stat. 2 E. 6. 30. An Act was made against Ballast to be cast into the Channel there.

Right.

I. Magna Carta, 24. 9 H. 3. The Writ called *Præcipe in Capite*, shall be granted to no man upon any Free-hold, whereby any Freeman may lose his Court.

☞ Riots, Routs, and unlawful Assemblies.

I. Stat. 27 R. 2. 8. The Sheriffs and all other the King's Officers shall suppress Rioters, and imprison them, and all other offending against the Peace.

☞ II. Stat. 13 H. 4. 7. The Justices of Peace, or two of them (at least) together with the Sheriff or Under-Sheriff, shall by the power of the County, suppress Riots, Routs, and unlawful Assemblies, arrest the offenders, and record what shall be done: By which Record of the said Justices, and Sheriff or Under-Sheriff, the offenders shall stand convict, as by the Statute of 15 R. 2. 2. in case of Forcible Entries, (*which see in Force*) and if the offenders be departed, the said Justices, and Sheriff or Under-Sheriff, shall within a month after, make enquiry thereof, and hear and determine the same according to Law.

III. If upon such enquiry the truth cannot be discovered in manner aforesaid; then shall the said Officers within one month after such enquiry certifie the fault, together with the circumstances thereof, unto the King and his Council; which certificate of theirs shall be in the nature of a presentment by twelve, whereupon the offendors shall be brought to answer, and those that be found guilty, shall be punished at the discretion of the King and his Council.

IV. If the offendors traverse the said Certificate, then that, together with the Trayerse, shall be sent into the Kings Bench, there to be tried.

V. If the offendors upon the first Precept do not appear before the Council, or in the Kings Bench, a second Precept shall issue forth, upon which, if they cannot be found, or within three Weeks after

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Proclamation made againſt them in the next County Court after the delivery of the ſecond Precept, they do not make their appearance before the Council, in the Kings Bench, or in the Chancery (in vacation-time) upon return of the ſaid Proclamation, they ſhall ſtand convict and attainted of the offence committed.

VI. Juſtices of Peace dwelling near the place where ſuch Officers ſhall be committed, and Juſtices of Aſſize for the time they ſhall be in their Seſſions (in caſe any be then committed) ſhall do execution of this Act, in pain of 100 l.

☞ VII. Stat. 2 *H.* 5. 8. If default be found in the Juſtices of Peace, or Aſſize, or in the Sheriff, or Under-Sheriff, touching the execution of 13 *H.* 4. 7. at the inſtance of the party grieved, the Kings Commiſſion ſhall go out to enquire as well of the truth of the caſe and original matter, as of the defaults aforeſaid, directed to ſufficient men of the County, at the diſcretion of the Lord Chancellor; which Commiſſioners ſhall preſently return into the Chancery the Enqueſts and matters before them found.

VIII. Here, during the Sheriffs, or Under-Sheriffs remaining in his Office, the Coroners ſhall impanel the Jury, each of them having lands worth 10 l. *per annum*, at leaſt; and upon each of which, for making default, the Coroners ſhall return Iſſues, *viz.* for the firſt day, 20 s. for the ſecond, 40 s. for the third, 5 l. and for every day after double: And all this the Coroner ſhall do, in pain of 40 l. But in caſe the Sheriff, or Under-Sheriff, reputed in default, be diſcharged of their Office, the new Sheriff ſhall do that which the Coroners are above enjoyned to do, and ſhall incur like penalty, if they therein make default.

IX. The Lord Chancellor, upon knowledg of any ſuch offence, ſhall ſend the Kings Writ to the Juſtices of Peace, Sheriff, and Under-Sheriff of the ſame County, to put the ſaid Statute of 13 *H.* 4. 7. in execution, upon the pain therein contained: But although no ſuch Writ be ſent, yet ſhall they not be excuſed of the ſaid pain, if they make no execution of the ſame Statute.

X. A Riot, *&c.* ſhall be repreſſed, and enquired of at the Kings charge, which the Sheriff ſhall diſburſe by Indenture betwixt the Juſtices of Peace and him, and ſhall be anſwered him again upon his accompt in the Exchequer.

XI. Perſons guilty of heinous Riots, ſhall ſuffer one whole years impriſonment without bail, but petty Rioters ſhall be impriſoned, as ſhall ſeem beſt to the King and his Council: And greater fines ſhall be ſet upon Rioters then in time paſt, in aid and ſupportation of the Juſtices, and other Officers in that behalf.

XII. All the Kings Liege People, upon warning, ſhall be aſſiſtant to the Juſtices, Commiſſioners, Sheriff, and Under-Sheriff aforeſaid, upon pain of impriſonment, and to make fine and ranſome to the King.

XIII. Bailiffs of Franchiſes ſhall cauſe ſufficient men to be impanelled upon ſuch Enqueſts, if any ſuch be found within their Liberties. And the Ordinances and Pains aforeſaid ſhall extend to Corporations and Liberties, where they have Juſtices of Peace within themſelves.

XIV. Stat. 2 *H.* 5. 9. Upon a Bill of complaint for any Riot, *&c.* preferred by the party grieved to the Lord Chancellor for the time being, together with a ſuggeſtion teſtifying the ſame under the ſeals of two Juſtices of Peace, and the Sheriff of the County, the ſaid Lord Chancellor ſhall ſend forth a *Capias*, returnable in the Chancery at a certain day, by which if the parties offending, or any of them be taken, they ſhall be committed to ward, or let to mainprize, at the diſcretion of the ſaid Lord Chancellor, and ſhall be proceeded againſt as the Law requireth: But if the Sheriff return *Non eſt inventus*, a Writ of Proclamation (to be proclaimed two County-Court days) ſhall go out returnable in the Kings Bench, at a certain day; before which, if they render not themſelves, they ſhall be adjudged convict, and attainted of the offence ſuggeſted.

XV. If the offence be committed within the County Palatine of *Lancaſter*, or other Franchiſe, where there is a Chancellor and Seal, The Lord Chancellor of *England* ſhall ſend a Writ to the ſaid Chancellor, commanding him to make ſuch execution, as in this Act is compriſed.

☞ XVI. Stat. 8 *H.* 6. 14. Two Juſtices of Peace of the Counties where Riots are ſuppoſed to be committed, ſhall teſtifie that the common fame runneth in the ſame Counties of the ſame Riots before *Capias* ſhall be awarded according to the Statute of 2 *H.* 5. 9.

XVII. If the offence be committed within a Liberty, where there is a Chancellor and a Seal, upon information of the Riot, *&c.* from a Juſtice of Peace, and Sheriff there, the ſaid Chancellor hath power to award Writs of *Capias* and *Proclamation*, as the Chancellor of *England* hath.

XVIII. Stat. 19 *H.* 7. 13. If any Riot, *&c.* be committed, the Sheriff upon a Precept directed unto him, ſhall return 24 perſons, whereof every one ſhall have Freehold within the ſame County worth 20 *s. per annum*, or Copyhold worth 26 *s.* 8 *d. per annum*, or Copyhold and Freehold together, worth 26 *s.* 8 *d. per annum*, to enquire

enquire of the ſaid Riot, &c. And ſhall return iſſues upon every Juror making default, *viz.* for the firſt day 20 *s.* and for the ſecond 20 *s.* and all this the Sheriff ſhall do, in pain of 20 *l.*

XIX. If the ſaid Riot, *&c.* be found by reaſon of any maintenance or embracery of the Jurors, then ſhall the Juſtices and Sheriff, or Under-Sheriff, (beſides the Certificate they are to make, according to the Statute of 13 H. 4. 7.) certifie the name of ſuch maintainers, and embracers, together with their miſdemeanors, in pain to forfeit 20 *l.* a piece; which certificate ſhall have like force of proving the offence, as a Verdict of 12 men: And then ſuch maintainers and embracers ſhall forfeit 20 *l.* a piece, and remain in priſon at the diſcretion of the Juſtices.

Robberies.

I. **Stat. Weſt.** 1. 9 E. 6. 1. All perſons ſhall be ready (at the ſummons of the Sheriff, and cry of the Countrey) to purſue and arreſt Felons, in pain (after attainder thereof) to make Fine to the King.

II. If default be in the Lord of a Franchiſe, the King ſhall ſeize his Franchiſe; but if in his Bailiff, the Bailiff ſhall be impriſoned for a year, and make fine to the King, and if he have not whereof, he ſhall ſuffer two years impriſonment.

III. If the Sheriff, Coroner, or other Bailiff, for any reward, fear, or favour, conceal, conſent to, or procure to conceal any Felonies done within their Liberties, or will not attach or arreſt them (where they may) and be thereof attainted, they ſhall ſuffer one years impriſonment, and be grievouſly fined to the King, if they have whereof; but if not, they ſhall ſuffer three years impriſonment.

IV. The **Stat.** of *Wincheſter*, *Cap.* 1. 13 *E.* 1. Immediately upon Robberies and Felonies committed, freſh ſuit ſhall be made from Town to Town, and from Countrey to Countrey.

V. *Cap.* 2. When need requires, Enqueſts ſhall be made in Towns by the Lord there, and then in the Hundred, after, in the Country, and ſometime in two, three, or four Counties, when the felony is committed in the diviſion of Counties: Here, if the Country will not anſwer the bodies of the offenders, the people there ſhall be anſwerable for all the Robberies done, and alſo for the damages; So as the whole Hundred, where the Robberies are done, (together with the Liberties therein) ſhall be anſwerable for the Robberies there committed: And if they be done in the diviſion of two Hundreds, both Hundreds together, with their Franchiſes, ſhall anſwer them:

And

And here, the Countrey ſhall have but forty dayes given them to agree for the robbery or offence, otherwiſe they are to anſwer for the bodies of ſuch offenders.

VI. *Cap.* 4. In great Towns walled, the gates ſhall be ſhut from Sun-ſet, till Sun-riſing, and none ſhall lodge without the Town from nine a Clock until day, unleſs his Hoſt will anſwer for him; for which purpoſe, the Bailiffs of the Town ſhall make ſearch once every fortnight, at leaſt, and if they find any ſuſpitious perſon lodged without the Town againſt the Peace, they ſhall do right therein; Again, betwixt *Aſcenſion-day* and *Michaelmas*, watch ſhall be kept all night, from Sun-ſet, untill Sun-riſing, *viz.* in a City with 6 men at every gate, in a Borough with 12 men, and in every Town with 6 or 4 men, according to the number of the Inhabitants there; if any ſtranger paſs by them, he ſhall be arreſted untill the morning, when, if they have no ſuſpition of him, they ſhall let him go quit; but if otherwiſe, they ſhall deliver him to the Sheriff to be ſafely kept, untill he be duly acquitted; And here, if he will not obey the Arreſt, they ſhall levy Hue and Cry upon him; and for ſuch Arreſt of a ſtranger, none ſhall be puniſhed.

VII. *Cap.* 5. High-wayes, leading from Market to Market, ſhall be ſo enlarged, that there ſhall not be any dike, tree, or buſh, within 200 foot thereof; Howbeit, this Act ſhall not extend to great Trees: Here, if by default of the Lord, in not removing his dike, under-wood, or buſhes, any robbery be here committed, he ſhall be anſwerable for the ſame; and if there be murder committed, the Lord ſhall make fine at the Kings will: And in caſe the Lord be not able to fell the Under-woods, the Countrey ſhall help him: The Kings Demeſne Lands and Foreſts ſhall be alſo ſubject to this Law, and if a Park be ſet too near the High-way, the Pale thereof ſhall be removed to the diſtance aforeſaid.

VIII. *Cap.* 6. *Pars inde.* Two Conſtables ſhall be choſen in every Hundred and Franchiſe, who ſhall preſent to the Juſtices aſſigned, ſuch defaults, as they ſhall find in the Countrey concerning ſuits, watches, and high-wayes, and alſo ſuch perſons as lodge ſtrangers in uplandiſh Towns, for whom they ſhall not anſwer. And the Juſtices aſſigned ſhall preſent them ot the Parliament to the King, who will provide remedy therein: Alſo Sheriffs and Bailiffs of Franchiſes, are ſtraightly commanded to follow the Cry with the Countrey, and to keep Horſe and Arms to perform the ſame, in pain to be preſented by the Conſtables to the Juſtices aſſigned, and by them to the King, as aforeſaid.

IX. Artic. ſuper Cart. 17. 28 E. 1. The Statute of *Weſtminſter* ſhall

shall be again sent into every County, to be read and published four times in the year, and to be kept as strictly as the Great Charters, upon the pains therein limited; And for the better observance thereof, the Knights assigned in the Counties to redress things done against the Great Charter, shall be likewise charged with this, and have Warrant for the same accordingly.

X. **Stat.** 5 *E.* 3. 14. If any have suspition of night-walkers, or other suspitious persons, *(then called Robertsmen, Wasters, or Drawlatches)* by day or night, they shall be presently arrested by the Constables, and if it be in a Franchise, they shall be delivered to the Bailiffs; but if in a Guildable, then to the Sheriff, and shall be kept in prison, till the coming of the Justices to deliver the Goal; and in the meantime, the Sheriff or Bailiff shall enquire of such arrests, and return their Enquests before the Justices at their coming together, with the cause of their taking; whereupon the Justices shall proceed to their deliverance, according to Law, and here, if the Sheriff or Bailiff neglect to enquire, they shall be amerced, and nevertheless, the Justices shall make enquiry, and proceed to the deliverance.

XI. **Stat.** 28 *E.* 3. 11. The Statute of *Winchester*, *Cap.* 1. & 2. 13 *E.* 1. is confirmed, being *in a manner, the same with that word for word.*

XII. **Stat.** 7 *R.* 26. The Statute of *Winchester* is again confirmed, and it shall be proclaimed four times a year by the Sheriff himself in person in every Hundred, and in every Market by the Bailiffs thereof.

XIII. **Stat.** 27 *El.* 13. The Hundred where fresh suit shall cease, shall answer half the damages to the Hundred wherein the Felony shall be committed to be recovered in any Court at *Westminster* in the name of the Clerk of the Peace of the County wherein the Felony was committed; and here the death or change of the Clerk of the Peace, shall not abate the suit.

XIV. When in this case damages are recovered against one or some few Inhabitants of the Hundred, and the rest refuse to contribute thereunto, two Justices of Peace (1. *Qu.*) dwelling within, or near the same Hundred, shall for the levying thereof, set a tax upon every Parish within that Hundred: according to which, the Constables and Headboroughs of every Town shall tax the particular Inhabitants, and levy the money upon them by distress and sale of goods, and deliver the money levied to the said Justices, or some of them.

XV. No Hundred shall be chargeable, when any one of the malefactors

factors shall be apprehended, or when the Action is not prosecuted within one year after the Robbery committed.

XVI. No Hue and Cry shall be deemed legal, unless the pursuit be both by horse and foot.

XVII. No person robbed shall maintain an action in this case, unless with all convenient speed he makes his robbery known to some near Town, Village or Hamlet, and within twenty dayes before the Action brought, make oath before a Justice of Peace, dwelling within or near the Hundred where the robbery was committed, whether he know the parties that robbed him, or any of them; and if he know, shall enter into sufficient Bond before the same Justice, to prosecute the person or persons so by him known, by Indictment, or otherwise, according to the law.

XVIII. Stat. 39 *El.* 25. A remedy for the inhabitants of the Hundred of *Hexhurst*, in the County of *Berks*, for recovery of such sums of money as shall be gained from them by force of the Statute of 22 *El.* 11.

XIX. Stat. 14 *Car.* 2. *cap.* 22. For preventing Theft and Rapine, by lewd persons called *Moss-Troopers*, frequenting the Borders of *Northumberland*, *Cumberland*, and the adjacent parts of *Scotland*. The Inhabitants of the said two Counties may be charged for five years by the Justices of the Peace for resistance of the said *Moss-Troopers*.

XX. Provided, not to charge *Northumberland* above 500 *l. per annum*, and *Cumberland* above 200 *l. per annum*. And the said Justices may appoint men not exceeding 30 for *Northumberland*, and 12 for *Cumberland*, for searching for and apprehending the said malefactors, and may issue Warrant for collecting the assessments; and every Justice of the Peace may examine offences against this Act, and bind over the offenders to Sessions.

XXI. The Justices impowred to appoint a Treasurer to receive the said moneys, and make payment theraof according to their orders, and may agree and article with persons by them employ'd, and take security of them for safe-guarding the same Counties.

XXII. If any persons imployed in Border-Service upon this Act shall wilfully or corruptly neglect to apprehend or bring to try any persons called *Moss*-Troopers; they shall be uncapable of being imployed in the said service, and further fine and imprisonment as the Justices shall think fit.

XXIII. The Justice may lessen the charge if they see cause, this Act to continue 5. years: The *Stat.* 4. *Jac. cap.* 1. & 7 *Jac. cap.* 1. touching

touching tryal of offenders flying out of *England* into *Scotland*, & è contra, revived, and to be put in execution.

☞ Rome.

I. **Stat.** 25 *H.* 8. 19. The Convocation shall be assembled by the Kings Writs, and shall not enact any Constitutions or Ordinances without the Kings assent.

II. No Canons shall be executed, which be repugnant to the Kings Prerogative, or the Customes, Laws, or Statutes of this Realm.

III. There shall be no appeals to *Rome*, but from henceforth they shall be according to the Statute of 24 *H.* 8. 12. *Which see in* Appeals to *Rome*.

IV. Appeals from the Courts of Archbishops of this Realm, shall be to the King in *Chancery*, out of which shall thereupon issue out a Commission under the Great Seal, to certain persons to be named by the King, who shall thereby have power to hear, and definitively to determine all such appeals, and the causes concerning the same, and from whose decree or sentence therein, there shall be no further appeal.

V. If any sue for an Appeal to *Rome*, he shall incur a *Præmunire*; but this *is made Treason* by 13 *El.* 2. *which see in Crown.*

VI. Appeals from places exempt, which were before the See of *Rome*, shall be henceforth into the *Chancery*, and shall be determined before the Commissioners as aforesaid.

VII. Provided, That all Canons, Constitutions, Ordinances, and Synodals Provincial, not repugnant to the Kings Prerogative, nor to the Customs, Laws, or Statutes of this Kingdom, shall be still used and executed, notwithstanding this Act.

VIII. **Stat.** 25 *H.* 8. 27. No man shall be presented to the See of *Rome* for the dignity of an Archbishop or Bishop, neither shall Annates, or First-fruits be paid to the same See.

IX. Concerning the Election of the Archbishops and Bishops, the King may send to the Prior, and Covent, or Dean and Chapter of the place shall be void, his Letters missive, containing his *conge d' essire*, or licence to elect the person named in the said Letters missive, which person they are to chuse for their Archbishop or Bishop, and none other.

X. In case they fail to make election accordingly, the King shall nominate such an Archbishop or Bishop by his Letters Patents, and if it be a Bishop, he shall present him to the Archbishop, or (in case the

that See be then void) to any other Archbiſhop within his Domi-
nion; but if it be an Archbiſhop, then to an Archbiſhop, and two
other Biſhops, or elſe to four other Biſhops, to be nominated by the
King.

XI. When any Archbiſhop or Biſhop is elected or preſented, as
aforeſaid, they are in due form to be inveſted and conſecrated, viz.
a Biſhop by the Archbiſhop of that Province, or (in caſe of vaca-
tion by any other within the Kings Dominions, and an Archbiſhop
by ſome other Archbiſhop, and two Biſhops, or elſe by four Biſhops,
without ſuing for any Bulls, Letters, or other things from the See
of *Rome* for the ſame: And ſuch Archbiſhop or Biſhop, betwixt his
election and conſecration, ſhall be called the Lord Elect of ſuch a
Dignity.

XII. Such election or preſentment of an Archbiſhop or Biſhop,
ſhall be lawful, and make them capable to do and execute all things
that concern the ſaid dignities.

XIII. If the Pryor and Covent, or the Dean and Chapter, within
20 days after the receipt of the Kings *Congé d' eſire* do not proceed
to election, and certifie the ſame to the King; or if the Archbiſhop
or Biſhops unto whom the King preſents any ſuch perſon to be in-
veſted and conſecrated, as aforeſaid, do not perform the ſame accord-
ingly within 20 days after ſuch preſentment; or if any perſon or
perſons do admit, obey, or execute any Cenſures, Excommunications,
Interdictions, Inhibitions, or any other Proceſs or Act in derogation
of this Act; that then all and every perſon and perſons offending
ſhall incurr a *Præmunire*.

XIV. *Stat.* 25 *H.* 8 21. No impoſition ſhall be paid to the
Biſhop or See of *Rome*, neither ſhall any perſon ſue for any diſpen-
ſation or licenſe to the Biſhop of *Rome*.

XV. The Archbiſhop of *Canterbury* may grant diſpenſations to
the King, and likewiſe licenſes to all others, of things formerly uſed
to be licenſed: Howbeit, of cauſes not uſed to be licenſed, no diſ-
penſations ſhall be granted without the Approbation of the King and
his Council.

XVI. Here, Licenſes of things; whereof the tax did heretofore
extend (at *Rome*) to 4 *l.* ſhall be alſo confirmed by the Kings Great
Seal, and likewiſe enrolled in *Chancery* by a Clerk thereto appointed;
but all others may be granted by the Archbiſhop, without ſuch con-
firmation, unleſs the party deſire to have it enrolled, and then the
Fee for the Seal ſhall be 5. s. and not above: And all Acts done
by ſuch licenſes ſhall be good in Law.

XVII. All children procreated after Marriage, to be had or done
by

by ſuch licenſes or diſpenſation, ſhall in all Courts be admitted Legitimate and Inheritable.

XVIII. There ſhall be a Clerk aſſigned by the Archbiſhop to regiſter Diſpenſations, and another by the King to enroll Confirmations.

XIX. There ſhall be two Books made, wherein the taxes of Diſpenſation ſhall be written, whereof the one ſhall remain with the ſaid Regiſter of the Diſpenſations, and the other with the ſaid Clerk of the Confirmations.

XX. None ſhall pay for diſpenſation greater taxes then ſhall be ſet down in the ſaid Books; and if any Officer takes more, he ſhall forfeit ten times ſo much to be divided betwixt the King and the proſecutor: Howbeit, where they are Arbitrary, the Archbiſhop, and the Lord Chancellor and keeper ſhall rate them; and here alſo is ſet down, how the money received ſhall be divided; *For which, ſee the Statute at large.*

XXI. This Act ſhall not inhibit the Archbiſhop of *York*, nor other Biſhops to diſpence, as they were wont to do, by the Common Law, and cuſtome of this Realm.

XXII. During the vacation of the See of *Canterbury*, the Guardian of the Spiritualities ſhall grant Diſpenſations: Here is alſo a remedy provided, where the Archbiſhop or Guardian refuſe to grant Diſpenſations, *viz.* by a Commiſſion from the King, to impower two other Prelates to perform the ſame: *For which, ſee the Statute at large.*

XXIII. All Religious Houſes heretofore exempt from the Viſitation of the Archbiſhop, ſhall ſtill remain ſo, notwithſtanding this Act, and ſhall be under the Viſitation of the King by Commiſſion under the Great Seal; ſo as the Popes power ſhall be quite excluded from all ſuch Viſitations; neither ſhall any Religious perſons from henceforth depart this Realm for any Viſitation, Congregation, or Aſſembly whatſoever, but all ſuch meetings ſhall be hereafter within the Dominions.

XXIV. Howbeit, this Act, nor any Licenſe or Diſpenſation, to be granted thereby, ſhall derogate the Statute of 21 *H.* 8. 13. touching Pluralities of Benefices or Non-reſidence.

XXV. Whoſoever ſues for any Licenſe, Diſpenſation, &c. to the See of *Rome*, or obeys any Proceſs from thence, ſhall incur a *Præmunire*; *but this is made Treaſon by* 13 El. 2.

XXVI. Grants and Confirmations of liberties obtained from the See of *Rome* to any Abbeys, or other Religious Houſes, ſhall be of the ſame effect as they were before this Act.

Abbeys,

XXVII. Abbeys, not other places exempt, ſhall pay any Penſions to the See of *Rome*, nor accept any Diſpenſation or Confirmation from thence, nor make any oath to the Biſhop thereof; and where no ſuch Confirmation was requiſite, they ſhall ſtill remain as before, notwithſtanding this Act.

XXVIII. Diſpenſations obtained at *Rome* before the 12th of *March*, 1533. ſhall remain of the force that they had before this Act.

XXIX. The King, with the advice of his Council, may reform the manner of Indulgences.

Safe Conducts.

I. **Stat.** 15 *H.* 6. 3. IN all Safe Conducts, the name of them of the Ship, and of the Maſter, and the number of the Mariners, together with the Portage of the Ship, ſhall be expreſſed.

II. **Stat.** 18 *H.* 6. 8. Goods may be loaded into the Ships of the Kings Enemies, ſo as the Merchant hath an *Authentique* ſafe Conduct for them, otherwiſe they may be made prize by any that can take them.

III. **Stat.** 20 *H.* 6. 1. All Letters of ſafe Conduct, which be not enrolled in the Chancery before the delivery of them, ſhall be void.

IV. They who will take benefit of the Kings ſafe Conduct, ſhall have it ready enrolled at the time of their apprehenſion: Howbeit, although the ſafe Conduct be not preſently ſhewed, yet it will ſuffice, if it be afterwards proved to be then enrolled.

Saint *Johns*.

I. **Stat.** 32 *H.* 8. 24. By this Act, the Corporation of Saint *Johns* of *Jeruſalem* in *England* and *Ireland* was diſſolved, and the Priors and Confreres thereof prohibited, to wear the Marks, *&c.*

II. The King was to have their Houſes, Churches, Lands, Goods, Chattels, Debts, and all other things of theirs: There be alſo divers Penſions appointed ſeverally to the Priors, Chaplains, and Confreres of that Order, to continue during their lives.

III. All of that Order, are diſcharged from obedience for their Religion, and alſo enabled to ſue, and to take and have liberty, as

other Religious persons were enabled by 31 *H.*8 6. (*which see in Abbey.*) Likewise their lands are to be within the survey of the Court of Augmentations.

Scarborough.

I. Stat. 37 *H.*8.14. An Act for the incorporating of two persons, (by the name of the Masters, or Keepers of the Peer and Key at *Scarborough*) who have power to distrain every man having lands or houses there, for the fifth part of the yearly revenue thereof towards the repair of the said Peer and Key. *See the Statutes at large.*

Sea.

I. Stat. 18 *E.*3. *Stat.*1.3. The Sea shall be open to all Merchants to pass with their Merchandize, where they please.

Seals.

I. Artic. sup. Chart. *Cap.*6. 28 *E.* 1. No Writ concerning the Common Law, shall be awarded under any of the petty Seals.

II. Stat. 11 *R.*2.10. The Kings Signet, or Privy Seal, shall not be sent in prejudice of the Realm, or disturbance of the Law.

III. Stat. 4 *H.* 7. 14. All Grants and Writings of Lands and other things pertaining to the Earldom of *March*, shall be under the Great Seal, and not under the special Seal.

Serjeants at Arms.

I. Stat. 13 *R.* 2. 6. There shall be but thirty Serjeants at Arms, who shall meddle with nothing but what concerns their Offices; neither shall they oppress the people, in pain to lose their Office, make fine to the King at his pleasure, and full satisfaction to the party.

☞ Service and Sacraments.

I. Stat. 1 *E.* 6.1. None shall speak or do any thing in contempt of the most Holy Sacrament, in pain of imprisonment, and to make fine and ransom at the Kings Will.

II. Three Justices of Peace (1. Qu.) have power to take information by the Oaths of two lawful persons (at least) concerning the offence aforesaid, and to bind over by Recognizance every accuser and witness, in 5 *l.* a piece, to appear at the next Sessions to give evidence against the offendors, who are there to be enquired of before three Justices, or more, by the oaths of twelve men, and also indicted, if the matter alledged against them be found true.

III. Three Justices or more, have likewise power to send out two writs, *Capias* and *Exigent*, and a *Capias utlegat.* against such offendors in all Counties and Liberties, and upon their appearance to determine the contempts and offences aforesaid, or to take bail for their appearance to be tried, as aforesaid.

IV. The Justices also have power to direct a Writ in the King's Name to the Bishop of the Diocess, where the offence was committed, by which he shall be required to be present himself (or some for him sufficiently learned) at the arraignment of the offendor, and to give advice concerning the offence committed.

V. The offence shall be prosecuted within three months, and the offendor shall be admitted to produce Witnesses for his defence.

VI. The Minister shall deliver the Sacrament to every person in both kinds, and shall not (without lawful cause) deny it to any, that will devoutly and humbly desire it.

VII. Stat. 2. 3 E. 6. 1. Every Minister shall use the Church-Service in such form as is mentioned in the Book of Common-Prayer established by this Act; And shall not use any other, or deprave the same, in pain (if he be Beneficed, and convict thereof by the Verdict of twelve men, his own confession, or notorious evidence of the fact) to forfeit to the King for the first offence that of his Benefices, which the King will choose, and to suffer six months imprisonment; for the second, to suffer one whole years imprisonment, and to be deprived, *ipso facto*, of all his spiritual promotion, whereupon every Patron may present; and for the third, to suffer imprisonment during life. And if he be not Beneficed, for the first offence he shall suffer six months imprisonment, and for the second, imprisonment during life.

VIII. If any shall be convicted to have by Enterludes, Plays, songs, rhymes, or otherwise depraved the said Books, as to have compelled or procured the Minister to sing or say any other Church-Service, or any other form then as aforesaid; or by any such means to have interrupted or let the Minister to sing or say the said Service, they shall for the first offence, forfeit 10 *l.* to the King; or (that not

not paid within six weeks after conviction) shall suffer instead thereof, three months imprisonment without bail; for the second time offending, shall forfeit 20 l. or (that not paid within six weeks as aforesaid) shall suffer six months imprisonment without bail: and the third time shall forfeit all their goods, and suffer imprisonment during life.

IX. Justices of *Oyer* and *Terminer*, and Justices of Assize have power to hear and determine these offences; unto whom the Archbishop or Bishop of the Diocess may associate himself, if he please.

X. This shall not restrain any private man, or publick Colledges to use the said Service in such Tongues as they understand, the holy Communion only excepted; or any other to use Psalms, or Prayers taken out of the Bible, at convenient times, not letting thereby the said Service.

XI. The offences aforesaid shall be prosecuted at the next Assize or Sessions of *Oyer* and *Terminer*, after they are committed: And here tryal of Peers shall be by Peers.

XII. Chief Officers of Cities and Corporations, shall also hear and determine these offences within their several Precincts, and so likewise shall Ecclesiastical Magistrates; Howbeit, none shall be punished above once for one offence.

XIII. **Stat. 5. 6 E. 6. 1.** Every person shall resort to his Parish-Church or Chappel; or (upon just let) to go to some other every Sunday and Holiday, in pain to be punished by the Censure of the Church.

XIV. The Common-Prayer-Book now made perfect, and annexed to this Act, together with the addition of consecrating Archbishops, Bishops, Priests and Deacons, shall be used and esteemed as by the Statute of 2. 3 E. 6. 1. is ordained, under the pains in that Statute expressed.

XV. If any shall be convicted by Verdict of twelve men, before Justices of Assize, *Oyer*, *Terminer*, or Peace in Sessions, to have wittingly heard, or have been present at any other form of Common-Prayer, Administration of Sacraments, making of Ministers, or other Rites then what are expressed in the said Book, or which are contrary to the said Statute of 2. and 3 E. 6. 1. shall for the first offence, suffer six months imprisonment without bail; for the second, twelve months imprisonment; and for the third, imprisonment during life.

XVI. **Stat. 1. *M. Sess.* 2. *cap.* 3.** If any shall disturb a Preacher lawfully licensed, he shall be by the Constables, or Churchwardens of the Parish, brought before a Justice of Peace, who, upon due accusation,

cuſation, ſhall preſently commit him to ſafe cuſtody, and within ſix dayes after, together with another Juſtice, ſhall diligently examine the fact, who, if they find cauſe, ſhall commit him to the common Gaol, there to remain for three months, and from thence to the next Quarter-Seſſions; at which, upon the parties reconciliation, and entring into Bond for good behaviour for one whole year (at the diſcretion of the Juſtices in Seſſions) he ſhall be releaſed: but if he perſiſt ſtill in his obſtinacy, he ſhall remain in priſon without bail, until he ſhall reconcile, and be penitent for his offence.

XVII. He that reſcues an Offendor in this kind, ſhall ſuffer like impriſonment, as aforeſaid; and beſides, ſhall forfeit 5 *l.* to the Queen.

XVIII. The Inhabitants of a Town that ſuffer ſuch an offendor to eſcape, ſhall forfeit 5 *l.* being preſented before the Juſtices of Peace in Seſſions within the County or Corporation where the eſcape was made.

XIX. Juſtices of Peace, Aſſize, and *Oyer* and *Terminer*, and Mayor and Head-Officers of Corporations, have power to hear and determine theſe offences, and to impoſe the fines aforeſaid.

XX. This Act ſhall not reſtrain the juriſdiction of the Eccleſiaſtical Laws; Howbeit, none ſhall be puniſhed here for one offence.

XXI. **Stat. 1 El. 1.** Every Miniſter ſhall uſe the Church-Service in ſuch form as is mentioned in the Book of Common-Prayer eſtabliſhed by 5. 6 E. 6. 1. together with the addition of certain Leſſons to be uſed on every Sunday in the year, and the form of the Letany altered and corrected, and two Sentences only added in the delivery of Sacrament to Communicants.

XXII. If any Miniſter ſhall be convicted by the Verdict of twelve men, his own confeſſion, or notorious evidence of the fact, to have refuſed to uſe the Church-Service; or to have uſed any other Rite, Ceremony, Order, Form, or manner then is ſet forth in the ſaid Book, or to have depraved the ſame Book, or any thing therein contained, he ſhall forfeit (being a Beneficed man) for the firſt offence, one whole years profit of all his Spiritual promotions, and ſuffer ſix months impriſonment; for the ſecond, ſhall be deprived *ipſo facto*, whereupon every Patron may preſent, and ſhall ſuffer one whole years impriſonment: And for the third, ſhall be alſo deprived, as aforeſaid, and ſuffer impriſonment during life: And if he be not Beneficed, for the firſt offence he ſhall ſuffer one whole year Impriſonment; and for the ſecond, impriſonment during life.

XXIII. If any shall be convicted, to have by Enterludes, Players Songs, Rhymes, or otherwise, depraved the said Book, or to have compelled or procured the Minister to sing or say any other Church-Service, or in any other form then as aforesaid: or by any such means, have interrupted, or let the Minister to sing or say the said Service; they shall for the first offence, forfeit 100 Marks to the Queen, or that not paid (within six weeks after conviction) shall suffer (instead thereof) six months imprisonment; for the second offence, shall forfeit 400 Marks, or that not paid (within six weeks as aforesaid) shall suffer one whole years imprisonment: and for the third offence, shall forfeit all their goods and chattels, and suffer imprisonment during life.

XXIV. Every person shall resort to their Parish Church, (or upon let thereof) to some other, every Sunday and holiday, upon pain to be punished by censures of the Church, and also to forfeit 12 *d.* to be levied by the Churchwardens there, for the use of the poor, upon the offenders goods by way of distress.

XXV. Justices of *Oyer* and *Terminer*, and of Assize, and Mayors and Head-officers of Corporations, have power to hear and determine these offences; unto whom the Archbishop or Bishop of the Diocess may associate himself, if he please, howbeit, *Note that by the* Statute of 23 El. 1. *Justices of Peace have also power to meddle therein, which is a title of the Crown.*

XXVI. None shall be impeached by this Act, unless the offence be presented at the next Sessions of *Oyer* and *Terminer*, or Assize after it is committed, and here tryal of a Peer shall be by Peers.

XXVII. This Act shall not restrain Ecclesiastical Jurisdiction, neither none shall be punished twice for one offence.

XXVIII. Such Ornaments and Ministers of the Church shall be retained, as were to be in the Church of *England*, by the Statute of 3 & 4 El. 6. 1. until the Queen shall take other order by the advice of Commissioners, by her to be appointed, under the Great Seal, or by the advice of the Metropolitan of this Realm.

XXIX. If any contempt or irreverence be used in the Ceremonies or Rites of the Church, by mis-using the Orders appointed in the Book of Common-Prayer, the Queen by like advice of the said Commissioners or Metropolitan, may ordain such further Ceremonies, or Rites, as may be most for Gods glory, the edifying of the Church and reverence of Christs holy Ministers and Sacraments.

XXX. All other Laws made for other service shall be void.

XXXI. Stat. 5 El. 28. An Act for translating of the Bible and Book of Common-Prayer into the *Welsh* Tongue: Also there

shall be an *English* Bible and Book of Common-Prayer in every Church of *Wales*.

XXXII. By Stat. 3 Jac. 1. All Ministers in every Cathedral and Parish Church, or other usual place for Common-Prayer within the Kings Dominions, shall always upon the fifth day of *November*, say Morning-Prayer, and give thanks to God for the happy deliverance of the King, Queen, Prince, and both Houses of Parliament upon that day.

XXXIII. Every person within the Kings Dominions shall always upon that day, diligently resort to his Parish Church or Chappel, or to some usual Church or Chappel, where the said Common-Prayer, Preaching, and other service of God shall be used, and there orderly abide during the said solemnity.

XXXIV. Every Minister shall give warning publickly in the Church at Morning-Prayer, the Sunday before every such fifth of *November*, for the due observation of the said day, and after morning Prayer, or Preaching upon the said fifth day of *November*, shall read publickly and distinctly this present Act.

See more, Title *Religion*.

Severn.

I. By Stat. 34, 35 H. 8. 9. A penalty for casting any Ballast or Robul in King-rode, in any part of the Haven, in *Bristol*.

II. None shall load any Corn in any Vessel by the water of *Severn*, to be transported beyond Sea, before he be bound to the Customer of *Bristol* to bring it first to *Bristol* to be there viewed by the Mayor there for the time being, in pain to forfeit both the grain and Vessel.

III. The penalty where one bringeth more Corn to *Bristol* to be measured, and thence to be transported, then is contained in his Cocket or License, which is to be delivered unto him by the said Mayor when he takes bond of him as aforesaid.

IV. The penalty for denying to measure the Corn at *Bristol*, is five pounds for every time, to be divided betwixt the King, and the Prosecutor; *See the Statute at large*.

Sewers.

I. By Stat. 6 H. 6. 5. During ten years several Commissions of Sewers shall be made to divers persons by the Chancellor of *England*, to be sent into all parts of the Realm, where need shall be ac-

cording

cording to the form in the said Statute expressed; *for which see the Statute at large, being here omitted, because a latter Commission was afterwards ordained by the Statute of 23 H. 8. 5. which see after in the proper place.*

II. Stat. 8 H. 6. 3. Commissioners of Sewers, shall have power to do, ordain and execute all such Statutes, Ordinances; and other things as shall be made, according to the effect and purport of the Commission of Sewers, ordained by the Statute of 6 H. 6. 5.

III. Stat. 18 H. 6. 10. Commission of Sewers shall be awarded, where need shall require, during ten years.

IV. Stat. 23 H. 6. 9. The Chancellor of *England* may grant Commissions of Sewers, during fifteen years.

V. Stat. 12 E. 4. 6. The Chancellor of *England* may grant Commissions of Sewers for 15 years, where need shall require.

VI. Stat. 4 H. 7. 1. Commissions of Sewers shall be granted, during 25 years.

VII. Stat. 6 H. 8. 10. Commissions of Sewers shall be granted during ten years, according to the Statute of 6 H. 6. 5. and 4 H. 7. 1.

VIII. Stat. 23 H. 8. 5. Commissions of Sewers shall be directed into all parts of the Realm, from time to time, where, and when need shall require, according to the manner, form, and tenor hereafter following, to such substantial and indifferent persons as shall be named by the Lord Chancellor, and Lord Treasurer of *England*, and the two chief Justices, or any three of them, whereof the Lord Chancellor is to be one.

IX. *Henry* the eighth, &c. Know ye, that forasmuch as the walls, arches, banks, gutters, Sewers, Gates, Calcies, Bridges, streams, and other defences by the Coasts of the Sea, and Marsh-ground, being, and lying within the limits of *A. B.* and *C.* in the County or Counties of

or in the borders or confines of the same, by rage of the Sea flowing and re-flowing, and by means of the trenches of fresh water descending, and having course by divers ways to the Sea, be so dirupt, lacerate and broken: And also the common passages of Ships, Ballengers and Boats in the rivers, streams, and other floods within the limits of *A. B.* and *C.* in the County or Counties of

or in the borders, or confines of the same, by means of setting up, erecting and making streams, mills, bridges, pools, shegarths, mill-dams, locks, hebbing-wears, hecks, flood-gates, or other lets, impediments, or annoyances, be letted, or interrupted; that great and inestimable damage for default of reparation of

the ſaid Walls, Ditches, Banks, Fences, Sewers, Gates, Gutters, Calcies, Bridges and ſtreams, and alſo by meanes of ſetting up, and erecting, making, and enlarging of the ſaid fiſh-garths, mill-dams, locks, hebbing-wears, hecks, flood-gates, and other annoyances, in times paſt, hath happened, and yet is to be feared, that far greater hurt, loſs and damage is like to enſue, unleſs that ſpeedy remedy be provided in that behalf.

X. We therefore, for that by reaſon of our Dignity and Prerogative Royal, we be bound to provide for the ſafety and preſervation of our Realm of *England*, willing that ſpeedy remedy be had in the premiſſes, have aſſigned you, and ſix of you, of the which we will that *A. B.* and *C.* ſhall be three, to be our Juſtices to ſurvey the ſaid Walls, Streams, Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Trenches, Mills, Mill-Dams, Flood-gates, Ponds, Locks, Hebbing-wears, and other impediments, lets and annoyances aforeſaid, and the ſame cauſe to be made, corrected, repaired, amended, put down, or reformed, as cauſe ſhall require, after your wiſdom and diſcretions. And therein as well to ordain, and do after the tenor, form, and effect of all and ſingular the Statutes and Ordinances, made before the firſt day of *March*, in the three and twentieth year of Our Reign, touching the premiſſes, or any of them, as alſo to enquire by the oaths of the honeſt and lawful men of the ſaid Shire, or Shires, place, or places, where ſuch defaults or annoyances be, as well within Liberties as without (by whom the truth may the rather be known) through whoſe default the ſaid hurts and damages have happened, and who hath, or holdeth any lands, or tenements, or common of Paſture, or profit of fiſhing, or hath, or may have any hurt, loſs, or diſadvantage by any manner of means in the ſaid places, as well near to the ſaid dangers, lets, and impediments, as inhabiting, or dwelling thereabouts, by the ſaid walls, ditches, banks, gutters, gates, ſewers, trenches, and other the ſaid impediments and annoyances. And all thoſe perſons and every of them, to tax, aſſeſs, charge, diſtrain, and puniſh, as well within the meets, limits, and bounds, of old time accuſtomed, as otherwiſe, or elſewhere within our Realm of *England*, after the quantity of their lands, tenements, and rents by number of acres and perches, after the rate of every perſons portion, tenure, or profit, or after the quantity of their common Paſture, or profit of fiſhing, or other commodities there by ſuch ways and means, and in ſuch manner and form, as you, or ſix of you, whereof the ſaid *A. B.* and *C.* to be three, ſhall ſeem moſt convenient to be ordained and done, for redreſs and reformation to be had in the premiſſes;

And

and also to reform, repair, and amend the said Walls; Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Streams, and other the premisses in all places needful: and the same as often and where need shall be to make new, and to cleanse and purge the trenches, sewers, and ditches in all places necessary; and further to reform, amend, prostrate, and overthrow all such Mills, Streams, Ponds, Locks, Fish-garths, hebbing-wears, and other impediments, and annoyances aforesaid, as shall be found by inquisition, or by your surveying, and discretions to be excessively hurtful. And also to depute and assign diligent, faithful, and true keepers, Bailiffs, surveyors, collectors, expenditors, and other ministers and officers, for the safety, conservation, reparation, reformation, and making of the premisses, and every of them, and to hear the accompt of the Collectors and other Ministers, of and for the receipt and laying out of the money that shall be levied and paid in, and about the making, repairing reforming, and amending of the said walls, ditches, banks, gutters, gates, sewers, calcies, bridges, streams, trenches, mills, ponds, locks, fish-garths, flood-gates, and other impediments and annoyances aforesaid. And to distrain for the arrearages of every such collection, tax, & assessment, as often as shall be expedient, or otherwise to punish the debtors and detainers of the same, by fines, amerciaments, pain, or other like means, after your good discretions. And also to arrest, and take as many carts, horses, oxen, beasts, and other instruments necessary, and as many work-men, and labourers, as for the said works and reparation shall suffice, paying for the same competent wages, salary, and stipend in that behalf: And also take such, and as many trees, woods, and underwoods, and timber, and other necessaries, as for the same works and reparations shall be sufficient, at a reasonable price by you, or six of you, of the which we will that *A.B.* and *C.* shall be three, to be assessed, or limited, as well within the limits and bounds aforesaid, as in any other place, within the said County, or Counties near unto the said places: and to make and ordain Statutes, Ordinances, and Provisions from time to time, as the case shall require, for the safeguard, conservation, redress, correction and reformation of the premisses, and of every of them, and the parts lying to the same necessary and behoofefull after the laws and customs of *Romney* Marsh in the County of *Kent*, or otherwise, by any wayes and means after your own wisdoms and discretions. And to hear and determine, all and singular the premisses, as well at our suit, as at the suit of any other whatsoever complaining before you, or six of you, whereof *A.B.* and *C.* shall be three, after the Laws and Customs aforesaid,

ſaid, otherwiſe, by any other ways and means after your diſcre-
ons. And alſo to make and direct all Writs, Precepts, Warrants, and
other commandments by vertue of theſe Preſents, to all Sheriffs, Bai-
liffs, and other Miniſters, Officers, and other perſons, as well within
Liberties as without, before you, or ſix of you, whereof the ſaid *A.B.*
and *C.* to be three, at certain days, terms, places to be returned
and received. And further, to continue the Proceſs of the ſame,
and finally, to do all and every thing and things, as ſhall be requi-
ſite for the due execution of the Premiſſes, by all ways and means,
after your diſcretions. And therefore we command you, That at cer-
tain days and places, when, and where you, or ſix of you, whereof
the ſaid *A.B.* and *C.* to be three, ſhall think expedient, ye do ſurvey
the ſaid walls, fences, ditches, banks, gutters, gates, ſewers, calcies,
ponds, bridges, rivers, ſtreams, water-courſes, mills, locks, trenches,
fiſh-garths, flood-gates, and other lets, impediments, and annoy-
ances aforeſaid, and accompliſh, fulfill, hear and determine all and
ſingular the premiſſes, in due forme, and to the effect aforeſaid, after
your good diſcretions. And all ſuch as ye ſhall find negligent, gain-
ſaying, or rebelling in the ſaid works, reparation, or reformations of
the premiſſes, or negligent in the due execution of this Commiſſion,
that they do compell them by diſtreſs, fines, and amerciaments, or by
other puniſhment, ways, or means, which to you, or ſix of you, where-
of the ſaid *A.B.* and *C.* ſhall be three, ſhall ſeem moſt expedient for
the ſpeedy remedy, redreſs, and reformation of the premiſſes, and
due execution of the ſame. And all ſuch things as by you ſhall be
made and ordained in this behalf, as well within Liberties as with-
out, that you do cauſe the ſame firmly to be obſerved, doing there-
as to Juſtice appertaineth; after the Laws and Statutes of this Realm,
and according to your wiſdoms and diſcretions.

XI. Save always to us ſuch fines and amerciaments, as to us there-
of ſhall belong. And we alſo command our Sheriff or Sheriffs of the
ſaid County or Counties of that they ſhall cauſe
to come before you, or ſix of you, of which *A.B.* and *C.* ſhall be three,
at ſuch days and places, as ye ſhall appoint to them, ſuch and ſo
many honeſt men of his or their Bailiwick, as well within the Li-
berties as without, by whom truth may beſt be known, to inquire
of the premiſſes. Commanding alſo all other Miniſters and Officers,
as well within Liberties as without, that they and every of them
ſhall be attendant unto you, in and about the due execution of
our Commiſſion. In witneſs whereof we have cauſed theſe our Let-
ters to be made Patents. Witneſs our ſelf at *Weſtminſter*, the
of in the year of Our Reign.

XII. Here, every person named a Commissioner, as soon as he shall have notice thereof, shall effectually put his diligence and attendance thereunto: Howbeit, he shall not put the Commission in execution, because he shall (before the Lord Chancellor, or some others, whom He by a *Dedimus* shall thereunto assign, or before the Justices of Peace in Sessions of the County, to which the Commission is directed) take the Oath following:

XIII. *Ye shall swear, that you to your cunning, wit, and power, shall truly and indifferently execute the authority to you given by this Commission of Sewers, without any favour, affection, corruption, dread, or malice, to be born to any manner of person or persons, and as the case shall require, ye shall consent and endeavour your self for your part, to the best of your knowledge and power, to the making of such wholsome, just, equal, and indifferent Laws and Ordinances as shall be made and devised by the most discreet and indifferent number of your fellows, being in Commission with you, for the redress, reformation, and amendment of all and every such things, as are contained and specified in the said Commission; and the same Laws and Ordinances, to your cunning, wit and power, cause to be put in execution, without favour, meed, dread, malice, or affection, as God you help, and all Saints.*

XIV. All Statutes of Sewers heretofore made, are confirmed.

XV. The Commissioners have power to make and ordain Laws, Ordinances, and Decrees, and all and every thing mentioned in their Commission, according to the true meaning thereof, and the same to reform, repel, and amend, and make new, as need shall require.

XVI. If any person, assessed to any lot, or charge for any lands, tenements, or hereditaments, within the limits of any Commission, do not pay the same, according to the Ordinance of the Commissioners, by reason whereof the said Commissioners decree the same lands, tenements, or hereditaments from the owner or owners thereof, and their heirs to any other for years, life, or in fee, for the payment of the said lot or charge; Every such Decree and Ordinance by them made, ingrossed in parchment, and certified into the Chancery, under their Seals, (with the Kings assent thereunto also had) shall bind all such person or persons having any Estate in the premises, in use, possession, reversion, or remainder, their heirs and assigns, and shall not be otherwise reformed then in Parliament.

XVII. The Kings Lands, Tenements, and Hereditaments, shall be as liable to the Laws, Ordinances, and Decree of the Commissioners, or any six of them, as those of any other.

If

XVIII. If a Commissioner not sworn, as aforesaid, or being sworn, and not having lands, tenements, or hereditaments, to his own use, in fee or for life, worth 40 marks *per annum*, besides reprises (except resiant and free of a Corporation, and having moveables worth 100 *l.* or else an utter Barister) do attempt to execute the said Commission, he shall forfeit for every time so doing, 40 *l.* to be divided betwixt the King and the prosecutor.

XIX. A Avowry and Justification of a distress taken, or of any other Act done, by reason of the said Commission, shall be made without any express, or rehearsal of any other matter contained in this Act, or any Commission, Laws, or Ordinances thereupon made, whereupon the Plaintiff shall be admitted to reply, that the Defendant did take the said distress, or did any other act or trespass of his own wrong, and thereupon the issue shall be tryed by the Verdict of twelve men, and not otherwise, and upon the tryal, the whole matter on both parts shall be given in evidence: And here if the verdict pass for the Defendant, or the Plaintiff be non-suit, the Defendant shall recover his treble damages and costs, to be assessed by the same Jury, or a Writ to inquire of damages, as the cause shall require.

XX. The Commissioners shall have for their pains, 4 *s.* a day, and the Clerks 2 *s.* a day out of the taxes aforesaid, &c. Also the Commissioners or any six of them, have power (at their discretions) to allow out of the said taxes, more to the Clerk for Writing-Books and Process, and to Collectors and others, that take pains in the due execution of the same Commission.

XXI. When any such Commission is directed for the reformation of any thing within the Dutchy of *Lancaster*, the Commissioners shall be named by the Lord Chancellor, Lord Treasurer, the two chief Justices, and the Dutchy, or any three of them, whereof the Lord Chancellor, and Chancellor of the Dutchy, are to be two. And in this case, two Commissions shall issue forth, *viz.* one, under the great Seal, and the other under the Seal of the Dutchy.

XXII. The fees for every such Commission, shall be 2 *l.* 6 *s.* 8 *d.* the King for the Seal, and 5 *s.* to the Clerk for writing and enrolling it, and no more.

XXIII. A Commission of Sewers, shall continue in force but three years from the *Teste*, and the King (by a *Supersedeas* out of the Chancery) may discharge any Commission or Commissioners at his pleasure.

XXIV. The Laws, Decrees, or Ordinances of the Commissioners shall continue no longer in force than their Commission, unless they be engrossed in parchment, and certified under their Seals

into the Chancery, And the Kings aſſent obtained thereunto.

XXV. When any ſuch Commiſſion is directed into *Wales*, and any other County Palatine, two Commiſſions ſhall iſſue out, *viz.* one under the Great Seal, and the other under the Seal of ſuch County Palatine, in like manner as is above ordained for the Dutchy of *Lancaſter*.

XXVI. The Kings aſſent aforeſaid, ſhall be certified into the Chancery under his Privy Seal without fee, only the Clerk ſhall have two ſhillings for writing the Certificate, and not above.

XXVII. The Chancellors of the Principality of *Wales*, or any other County Palatine, having the cuſtody of the Seal there, upon requeſt made, and upon the ſight of Commiſſion under the Great Seal, may thereupon make out another under the Seal of ſuch County Palatine according to the tenor of the Kings Commiſſion, and alſo to the Commiſſioners therein named, except within the Dutchy of *Lancaſter*, for which the proviſion aboveſaid ſhall be obſerved.

XXVIII. **Stat. 25 H. 8. 10.** None ſhall be compelled to be ſworn, or to ſit or travel in the execution of any Commiſſion of Sewers, unleſs he be dwelling within the County, whereof he is aſſigned a Commiſſioner.

XXIX. If any Commiſſioner being required by any, having authority by the Kings Writ, or otherwiſe, to give him the Oath provided by 23 *H.* 8. 5. ſhall refuſe to take it, upon ſuch refuſal or contempt done in Chancery, or returned thither with the ſaid Writ, he ſhall loſe five marks for every ſuch contempt, unleſs he alledg ſufficient cauſe in Cancery the ſame Term (wherein ſuch return is made) for his excuſe and diſcharge in that behalf.

XXX. **Stat. 3. 4 E. 6. 8.** The Statute of 23 *H.* 8. 5. is made perpetual, in ſuch manner as it may ſtand with the ſequel and additions hereafter mentioned.

XXXI. All ſums of money rated by Commiſſion of Sewers, upon any of the Kings land, ſhall be leviable by diſtreſs or otherwiſe, as may be done in the lands of other perſons, and acquitances under the hand of ſuch Collector or receiver as ſhall be appointed by the Commiſſioners, or any ſix of them, ſhall be a ſufficient diſcharge as well to the Tenants of the Kings Lands, as alſo to the Receiver, Auditor or other Officer, for the allowance of the ſaid rates to ſuch Tenants.

XXXII. Like fees ſhall be paid for Commiſſions, and *Dedimus Poteſtatem*, under the Dutchy Seal, as are paid for them obtained under the Great Seal.

XXXIII. A Commission of Sewers shall endure five years, unless in the mean time it be *superseded*.

XXXIV. **Stat.** 1 *M. Parliament*, 2 *Cap.* 11. The Statute of 23 *H.* 8. 5. and all Commissions of Sewers, shall extend and give authority, that the Commissioners therein named for the County of *Glamorgan*, or six of them, whereof three to be of the *Quorum*) shall by this Act, and the said Statute of *H.* 8. and Commission, have power to make Laws, Ordinances and Decrees within the said County, for the redress and saving of grounds there from hurt and destruction, by reason of sand rising out of the Sea, and driven to land by storms and winds, as they may do by the said former Act and Commission, for avoiding the outragious course and rage of the Sea and other waters.

XXXV. **Stat.** 13 *El.* 9. All Commissions of Sewers shall continue in force for ten years after the date thereof, unless they be repealed by a new Commission, or a *Supersedeas*.

XXXVI. All Laws, Ordinances, and Constitutions, duly made according to the Statute of 23 *H.* 8. 5 and written in parchment indented, under the Seals of the Commissioners, or six of them (whereof one part shall remain with the Clerk of the Commission, and the other in such place, as the Commissioners, or six of them shall appoint) shall without any Certificate to be made into the Chancery, and without the Kings assent, continue in force, notwithstanding any determination of such Commission by *Supersedeas*, untill the same Laws, Ordinances and Constitutions shall be altered, repealed, or made void by Commissioners afterwards assigned.

XXXVII. After the end of ten years next after the *Teste* of a Commission, all Laws, Ordinances, and Constitutions, made by vertue thereof, and written in parchment, indented and sealed as aforesaid, shall, notwithstanding such determination of the Commission, continue in force one whole year, after the said ten years, during which time, the Justices of Peace of the County or County, whither it is directed, or six of them (two *Quorum*) have power to execute such Commission and Law, *&c.* as fully as the Commissioners themselves, unless in the *interim*, a new Commission be set forth.

XXXVIII. No Farmer for years of any Lands, &c. lying within the limits of the Commission (which shall be chargeable with the Laws, &c. made by vertue of any such Commission, wherein he shall be a Commissioner) not having an Estate of Freehold in *England* worth 40 *l. per annum*, shall have any power to sit or intermeddle with any such Commission, during the time he shall be Farmer,

not have Freehold, as aforesaid, but every such Commission as to him only shall be adjudged void.

XXXIX. There shall be no certificate or return of the Commission, or of any of their Laws, Ordinances, or doing, by vertue thereof.

XL. The Clerk of the Commission, shall yearly estreat all issues, fines, penalties, forfeitures and amerciaments, due and answerable to the Queen, her heirs and successors, and shall yearly deliver them into the Exchequer (as Justices of Peace ought to do by vertue of their Commission) in pain of 5 *l.*

XLI. Provided, that the aboveſaid Farmer may act in the Commission as concerning all other Lands, save only the Lands whereof he is so Farmer, as aforesaid.

XLII. **Stat.** 3 *Jac.* 14. All Walls, Ditches, Banks, Gutters, Sewers, Gates, Causeys, Bridges, Streams, and Water courses, within two miles of *London*, having their fall into *Thames*, shall be subject to the Commission of Sewers, and to all Statutes made for Sewers, and to all penalties in the said Statutes contained.

XLIII. **Stat.** 12 *Car.* 2. *Cap.* 6. Commissioners of the Sewers to be made by the Lord Chancellor and others, *pro hac vice*, there being no Lord Treasurer, nor chief Justice of either Bench, according as by the *Stat.* 23. *H.*8. *Cap.*5. is appointed to joyn herein.

☞ Sheep.

* I. **Stat.** 3 *H.* 6. 2. None shall transport Sheep beyond Sea, without the Kings licenſe, in pain to forfeit them, or the value thereof.

* II. **Stat.** 25 *H.*8.13. None shall keep in his own poſſeſſion at any one time above two thousand Sheep, in pain to forfeit for every Sheep kept above that number, 3 *s.* 4 *d.* to be prosecuted for a subject within one year, and for the King within three; but here Lambs shall not be accounted as Sheep till Mid-summer twelve month after their fall.

III. If any happen to have more sheep than two thousand, by reason of any Executorship, or marriage, they shall not be impeached by this Law, so that within one year after they put off so many, that at the end of that year, they may not have above two thousand: Neither shall a child during his nonage (nor any person for him) be endamaged by this Act, which child shall have by legacy above two thousand Sheep given him.

Justices

IV. Justices of Peace have power to hear and determine the offences committed against this Act, but shall not take a less fine than is limited by the same.

V. Every temporal Subject may keep upon his own Demesne lands, as many Sheep as he will, or for the maintenance of his house, above the number of two thousand, notwithstanding this Act.

VI. How foulds, courset and quillets of lands in *Norfolk* and *Suffolk* shall be used, and to which quillets, this Statute shall extend. *See the Statutes at large.*

VII. A thousand of Sheep (meant by this Statute) shall be accompted after the rate of six score to the Hundred.

VIII. None shall take to Farm above two Farms together, and they are to be situate in the same Parish where he dwells, in pain to forfeit 3 *s.* 4 *d.* for every week he takes the profits of them.

IX. Spiritual persons shall keep Sheep, as they have used to do notwithstanding this Act.

☞ Sheriff.

* I. Stat. *De finibus levatis, Cap.* 2. 27 E. 1. Sheriffs shall not be charged with any issues to be levied, nor shall levy any, before they pass out of the Exchequer, being there delivered by the estreats of the Justices, in which estreats, every head shall be charged for issues forfeited, like as of amerciaments.

II. If the Sheriff will charge himself with the issues of any Recognisor, Pledge, or Mainpernor, who is not able to pay them, the Sheriff shall be charged therewith in the Exchequer.

III. Sheriffs shall make tayles of all money received by them or their Officer, in pain of great forfeitures: And shall not return any Mainpernors, Jurors, or others, except (according to the tenor of the Kings Writ) they be lawfully impanelled; Neither shall they return any Free-man as pledges without their consent.

IV. A Baron and a Clerk of the Exchequer, shall be sent once every year through every County of *England*, to inquire the names of such as have paid the Green-wax that year, and shall also view all such Talyes and enroll them, as shall hear and determine complaints made against Sheriffs, and their Clerks and Bailiffs, that shall do contrary to the premisses, and the offenders shall be grievously punished.

V. Artic. sup. Chart. 8. 28 E. 1. The people of every County, shall have election of their Sheriff, where the Shrievalty is not of Fee.

The

VI. Artic. sup. Chart. 13. 28 E. I. The Commons of every County shall chuse such Sheriffs, as shall not charge them, nor put any officer into authority for rewards or bribes; nor lodge too often in one place, neither yet with poor persons, or men of Religion.

VII. *The Statute of Sheriffs*, 9 E. 2. Sheriffs shall be assigned by the Chancellor, Treasurer, Barons of the Exchequer, and Justicers. And in the absence of the Chancellor, by the Treasurer, Barons, and Justices.

VIII. None shall be Sheriff, except he have sufficient land in the County where he is Sheriff, to answer the King and his people.

IX. No Steward or Bailiff, to a great Lord, shall be Sheriff, except he be out of service, so that he may attend to execute his Office for the King and his people.

X. Hundreds also (both the Kings and others) shall be kept by convenient and able persons, having sufficient lands within the same Hundred, or in the County where the Hundred is. And they shall be leased to such persons at reasonable rents, to the end they may not store upon the people. But no Sheriff or Hundreder shall lease their Office to any other in farm, or otherwise.

XI. Execution of Writs that come to the Sheriffs, shall be done by Hundreders, sworn and known in said County, and not by any other, unless such Hundreders be insufficient, and then execution shall be done by others, meet and sworn for as the people may know to whom to sue such executions; saving always to servants of Writs to them that ought to have them.

XII. *Stat. de articulis*, 13 E. 1. *Vide Baston, Sheriff*, f. When Sheriffs, and other Ministers, being impleaded in the Exchequer for receiving the Kings debts, by Tallyes of Acquittances, and not acquitting the parties thereof in that Court, are so far gone in plea, that the great distress is returned against them, and they come not then in to answer, then shall issue out another distress, returnable at a certain day, by which Writ Proclamation shall be made in full County, that the Defendant appear at the day and acquit the debt, for which he made such tally or acquittance, at which day if he come, and the Writ be returned, and the Proclamation certified, he shall be holden as convict, and the debt shall be taken of him as of debt recovered in the Kings Court, and damages shall also be awarded to the Plaintiff at the discretion of the Barons. Howbeit none shall be hindred by this Statute to complain of Sheriffs and other Ministers when they shall be found in the Exchequer, or make their answer there, as hath been formerly used.

XIII. Stat. 2. E. 3. 4. The Statute of 9 E. 2. is confirmed, and Sheriffs and Bailiffs of fee shall cause their Counties and Bailiwicks to be kept by such as have lands therein.

XIV. Stat. 2. E. 3. 12. From henceforth Hundreds and Wapentakes, shall be again adjoyned to the Counties, and shall never hereafter be given or severed therefrom.

XV. Stat. 4 E. 3. 9. Sheriffs, Escheators, and Bailiffs of Hundreds and Franchises, shall have sufficient in the places where they are Ministers, whereof to answer the King and his people, if ought any men complain against them.

XVI. Stat. 4 E. 3. 10. Sheriffs and Goalers shall receive and safely keep such thieves and felons, as shall be delivered them by Constables or Townships without taking any thing for such receipt. And the Justices assigned to deliver the Goal, shall have power to hear such complaints, and to punish such Sheriffs and Goalers as they shall find guilty herein.

XVII. Stat. 4 E. 3. 15. Sheriffs shall let their Hundreds and Wapentakes for the old Farm, and not above. And the Justices assigned, shall have power to enquire of Sheriffs, and punish them if they shall find them guilty herein.

XVIII. Stat. 5 E. 3. 4. None shall be Sheriff, Under-Sheriff, Escheator, Bailiff of Franchises, Wapentakes, Hundreds, or Two things, unless he have sufficient lands in the County, whereof to answer the King and his people, if any will complain.

XIX. Stat. 14 E. 3. 7. No Sheriff shall continue in his Office above one year, and then another convenient man shall be chosen in his place (having lands sufficient in his Bailiwick) by the Chancellor, Treasurer, and Chief Baron, taking to them the chief Justices if they be present: and this shall be done yearly at the Exchequer the next day after *All Souls*.

XX. Stat. 14 E. 3. 9. All Wapentakes and Hundreds, which be severed from the Counties, shall be re-joyned to them again. The Sheriff also shall hold the same in their own hands, and put in such Bailiffs and Hundredors (having lands in the Bailiwicks and Hundreds) for whom they will answer.

XXI. If Sheriffs let any Hundreds, Bailiwicks, or Wapentakes to farm, they shall let them at the ancient farms, without any increase upon them: And the King, and his people shall be hereafter served with sufficient Bailiffs, Hundredors, and their Under Bailiffs, without employing Out-riders, who have heretofore in divers Counties, notoriously grieved the people. Neither shall any Bailiff errant be in any County, but only where they have used to be in

in the time of the Kings Grandfather, and but one Bailiff errant in one County.

XXII. All such as have Bailiwicks, or Hundreds in fee, shall put such Bailiffs, for whom they will answer, and if they let them to farm, they shall take but the old farm, without any increase.

XXIII. The Justices of both the Benches, the Barons of the Exchequer, and Justices assigned, shall enquire after, and punish the offenders of this Ordinance, at their discretion, according to Law and Reason.

XXIV. If the Sheriffs, or the Fermors be found in default, and be thereof attainted, the Wapentakes and Hundreds shall be seised into the Kings Hands, and by the Justices let to others; such Officers likewise shall be imprisoned, and there remain, untill they make fine and ransome to the King, according to the quantity of the Trespas, and yet they shall answer the King the whole farm.

XXV. Lords having Hundreds, or Wapentakes in fee, shall place therein sufficient Bailiffs, to answer the King and his people; and if their Bailiffs offend against this Ordinance, such Bailiffs shall be called to answer, whereof, if they be attainted they shall have such punishment as the Law requireth, and shall be also put out of their places, and others put in their places by the said Law.

XXVI. Stat. 28 E. 3. 7. No Sheriff shall continue in his Office above one year.

XXVII. Stat. 28 E. 3. 9. No Writ shall be hereafter directed to the Sheriff to charge a Jury to indict any.

XXVIII. Stat. 42 E. 3. 9. *Pars inde.* No Sheriff, Under-Sheriff, or Sheriffs Clerk, shall continue in their Office above one year.

XXIX. Stat. 1 R. 2. 11. None having been Sheriff for one whole year, shall be Sheriff again within three years then next ensuing, if there be other sufficient in the County, to answer the King and his people.

XXX. Stat. 1 H. 4. 11. Because Sheriffs did much oppress the people, for that they were charged with the antient farms of the Counties, whereof a great part had been granted to Lords and others; hereafter the Sheriffs upon their accounts in the Exchequer, shall have allowance (by their oaths) of the issues of their Counties: And if from henceforth any Sheriff extort upon the people, and be thereof attainted, he shall be punished at the Kings will.

XXXI. Stat. 4 H. 4. 4. Every Sheriff of *England* (*Serra de marrant*) shall abide in proper person within his Bailiwick for the time that he shall be such Officer: He shall not let his Bailiwick to farm: And he shall be sworn to do the same in special among other Articles comprised in his Oath.

XXXII. Stat. 1 H 5. 4. They who have been Sheriffs Bailiffs for one year, shall not bear that Office by three years next following, except in Sheriffwicks inheritable.

XXXIII. No Under-Sheriff, Sheriffs Clerk, Receiver, or Sheriffs Bailiff, shall be Attorney in any of the Kings Courts, so long as he bears such Office under the Sheriff.

XXXIV. Stat. 4 H. 5. 2. Sheriffs of *England* shall have allowance upon their accompts (by their oaths) of things casual, as of estreats that be not in farm or demand, but for all things that run in yearly farms or demands, they shall be charged to the King as in times past.

XXXV. Stat. 13 H. 6. 8. The Statute of 14 E. 3. 7. 42 E. 3. 9. and 1 R. 2. 11. shall be duly observed, except by Officers in *London*, and where any hath freehold or inheritance in the Sheriffs Office.

XXXVI. No Sheriff, or any of his under-officers (except before excepted) shall act contrary to the said Statutes, in pain to forfeit yearly 200 *l.* and every pardon granted them in that behalf, or for the said forfeiture, and every Patent made for that purpose shall be void, notwithstanding the clause or word of *non obstante*, be inserted in any of them: And whosoever shall hereafter act by any such Patents, shall be for ever after disabled to bear the Office of Sheriff in *England*.

XXXVII. The forfeiture aboveſaid, is to be divided betwixt the King and the proſecutor.

☞ XXXVIII. Stat. 23 H. 6. 10. No Sheriff shall let to farm his County or Bailiwick; neither shall he, his Under-Sheriff, or any other Bailiff, return upon Enqueſt any Bailiff, Coroner, Steward, or any ſervant of theirs, neither ſhall they take any thing for returning, or for omitting to arreſt, ſave only the fees that follow, viz. for the Sheriff 20 *d.* for the Bailiff that makes the Arreſt, 4 *d.* and for the Goaler (when the party is committed) 4 *d.* Neither ſhall any Sheriff, Under-Sheriff, Sheriffs Clerk, Steward or Bailiff of Franchiſe, ſervant, Bailiff or Coroner, take above 4 *d.* for the entry of a Pannel.

XXXIX. Sheriffs and other Officers ſhall let to bail perſons by them arreſted, upon reaſonable ſureties, having ſufficient within the

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County (persons in Ward by condemnation, exemption, *Capias utlagatum*, or *excommunicatum*, surety of Peace, or committed by command of the Justices, and Vagabonds, refusing to serve, only excepted.)

XL. The said Officers shall take no bond of any Arrested person, but for appearance, and to themselves only, and shall not take for it more then 4 *d.* and Bonds otherwise taken (*colore officii*) shall be void.

XLI. Sheriffs shall make Deputies in the Kings Courts at *Westminster*, to receive Writs to be delivered unto him.

XLII. Sheriffs, Under-Sheriffs, Clerks, Bailiffs, Goalers, Coroners, Stewards, Bailiffs of Franchises, and all other Officers which do contrary to this Act, shall forfeit for every such offence, treble damages to the party grieved, and besides 40 *l.* to be divided betwixt the King and the prosecutor.

XLIII. Justices of Assise, of both the Benches, and of Peace, have power to hear and determine such offences.

XLIV. If the Sheriff return a *Cepi Corpus*, or *Reddidit se*, he shall be chargeable to have the body of the party ready at that day of the return mentioned in the Writ.

XLV. The Warden of the Fleet, or of the Goal of the Kings Palace at *westminster*, shall not be prejudiced by this Ordinance.

XLVI. **Stat.** 1. E. 4. 2. Sheriffs shall deliver all indictments and presentments taken in their turns, unto the Justices of Peace at their next Session, in pain of 40 *l.* who shall arreign, deliver, make Process, and proceed thereupon, as if they were taken before them, and shall deliver intended estreats of the fines to the Sheriff, to be levied to his own use: And here, if the Sheriff levy any fine, or commit any to prison, by colour of any such indictment or presentment, or otherwise then by Warrant from the Justices, as aforesaid, shall forfeit 100 *l.* Howbeit, Sheriffs of *London* shall not be restrained by this Act, nor such as have had fines formerly granted unto them.

XLVII. **Stat.** 12 E. 4. 1. If a Sheriff execute or return any Writ, Precept, or Warrant, into any of the Kings Courts in *Michaelmas*-Term, after the sixth day of *November*, (being commonly the day of the date of their Patent) and before any Writ of Discharge is delivered unto him, he shall not thereby incur the penalty of 200 *l.* ordained by the Statute of 23 H. 6. 8. Albeit he doth execute his Office after the returns of *Crastino Martini*, *Octabis Martini*, & *Quindena Martini*, after his year is out.

XLVIII. **Stat.** 17 E. 4. 6. Every old Sheriff may execute

his Office, during *Michaelmas* and *Hillary* Terms, if he have not before a Writ of discharge, without danger of incurring any forfeiture or pain in respect thereof.

☞ XLIX. Stat. 11. H 7. 15. No Sheriff, Under-Sheriff, or Sheriffs Clerks, shall enter into the County-Court any plaint in the absence of the Plaintiff, or his Attorney, nor have above one plaint for one Cause, in pain of 40 *s.* to be divided betwixt the King and the prosecutor.

L. A Justice of Peace, upon complaint made, hath power to examine the aboveſaid Officers and Plaintiff, concerning the premisses, and finding any of the same Officers guilty, shall within three months after, certifie that examination into the Exchequer, in pain of 40 *s.* upon which examination, the said Officers shall be convicted to pay the aboveſaid forfeiture of 40 *s.* without further enquirie.

LI. The Defendant in the County-Court, shall have lawfull summons, and if the Bailiff be therein found faulty, he shall forfeit 40 *s.* And here also examination and Certificate shall be made by a Justice of Peace, as aforesaid.

LII. Before the Sheriff issue forth any Estreats out of the County-Court, two Justices of Peace (*i. Qu.*) shall view them, and there being two parts of them intended and sealed by the said Justices and Sheriff, one of them shall remain with the Justices, and the other with the Sheriff; and here the Officer that collects them shall make oath before the said Justices, to levy no more then what is contained in them, in pain of 40 *s.* who may be convict of the offence by the examination of one Justice of Peace, as aforesaid.

LIII. The Justices of Peace, which are to have the controlment of the Sheriff and his Estreats, shall be named at *Michaelmas* Session by the *Custos Rotulorum*, or (in his absence) by the eldest of the *Quorum*. And the said Justices of Peace, upon information of the party grieved, may make out like process against the offendors, as in Actions of Trespass.

LIV. Stat. 6 H. 8. 18. The Under-Sheriff and all other Officers of Sheriffs, may continue, and execute their Offices within the County of the Town of *Bristol*, from year to year, in such sort as the like do in *London*, without any forfeiture, notwithstanding the Statutes of 42 E. 3 9 and 23 H. 6. 8.

LV. Stat. 35 H. 8. 16. Every Sheriff, (his Under-Sheriff or Deputy) shall at his day of prefixion in the Exchequer, immediately after he is sworn to accompt, make also oath to deliver into that Court, *Schedules* concerning the particular sums of money, which

which he hath levied, or might have levied (and is near as may be, what persons or lands ought to be charged therewith) and after such Schedules delivered, cast, and rated, that Court shall have power to make him allowance of so much money, as the Farms wherewith he is charged amount to more, then the said particulars: And for such parcels as they so amount to more, the Court shall issue out process for the Recovery thereof for the Kings use.

LVI. Concerning sums respected to the Sheriffs upon their Petitions, they shall from henceforth (upon their oaths) be discharged thereof, and process shall issue out against the Debtors.

LVII. Sheriffs (upon their accompts) shall have allowance for executing the Kings Writs and Summons, levying of Estreats coming to the Exchequer to make the proffers and view of their accompts, and for expenses at the Assises, Goal-deliveries, *Oyers* and *Terminers*, and the like; so as the totall to all such allowances to all Sheriffs, exceed not 342 *l.* 6 *s.* 8 *d.*

LVIII. Stat. 2. 3. E. 6. 4. The said Act of 34 H. 8. 16. shall be clearly void to all intents and purposes, other then such as are hereafter in this Act specified.

LIX. All Sheriffs shall have such Tallyes of reward and other allowances, as they had before the making of the Statute of 34 H. 8. 16. or also to be at their Election to accompt, and all other things to do according to the said former Act: And every Sheriff that so shall accompt, and take no Tally of reward, shall be interested in the Exchequer in all things, as if the said former Act were in force.

LX. Tallyes of reward (without any warrant) shall be striken, as they were before the making of the said Act, and shall be delivered to the Sheriff or his Attorney, without any further charge.

LXI. Sheriffs of Counties where no Tallyes of reward have used to be striken, shall be allowed their expences upon Petition, with a bill thereof thereunto annexed, being verified by the oath of the Sheriff, his Under-Sheriff, or Attorney.

LXII. Sheriffs, who take no Tallyes of reward, shall be discharged (upon their accompts) of all such Farms, goods, chattels, profits, casualties, and sums of money, as they cannot levy or come by: and all other Sheriffs, who take Tallyes of reward, shall also be discharged of all such profits and sums, as aforesaid, except also of Vicontiels, wherewith they shall be chargeable, as they were before the making of the said former Act.

LXIII. Sheriffs also shall have allowance (in their accompts) of all such sums of money, as they shall make true Petition of, for such possessions as are come to the Kings hands, by unity of possession or

otherwise, out of which any part of such Vicontiels were levyable.

LXIV. Provided, that every Sheriff (his Under sheriff or Deputy,) shall at his day of prefixion in the Exchequer, immediately after he is sworn to accompt, make also oath to deliver into that Court a *Schedule* containing the particular sums of money, which he hath levied, or might have levied, and (as near as may be) what persons or lands ought to be charged therewith: And after such *Schedules* delivered, estreated, that Court hath power to make him allowance of so much money as his charges amount to more than the said particulars: And for such parcels as they so amount to, the Court shall issue out process, or take some other fit course for the recovery thereof to the Kings use. And if they imploy any Commissioners to enquire after the same, they shall allow them their reasonable costs and charges at their discretions.

LXV. Stat. 2. 3. E. 6. 34. Sheriffs of *Northumberland* shall enter into Recognisance to be accomptable for their office, as other Sheriffs do, in pain of 1000*l.* Howbeit, they shall not be chargeable but onely for their own year.

LXVI. Stat. 1. *Mar. Parl.* 1. *Sess.* 2. *Cap.* 8. No Sheriff shall be Justice of Peace during his Shrievalty, notwithstanding the Statute of 1. E. 6. 7. (*which see in discontinuance of Proteſs.*) and all acts then done by him, as Justice of Peace shall be void.

LXVII. Stat. 8. *El.* 16. Whereas there hath been heretofore but one Sheriff chosen for each two of the Counties of *Surrey* and *Sussex*, *Essex* and *Hertford*, *Somerset* and *Dorset*, *Warwick*, and *Leicester*, *Nottingham* and *Derby*, *Oxon* and *Berks*, hereafter there shall be one Sheriff chosen for each of the said Counties, who shall be accomptable and used in the order of his accompt, and all other things and allowances in the Exchequer, and in all other Courts and places, as is used for Sheriffs in the like places; And the profers of the said Counties shall be forthwith severed by the said Court, and the Offices thereof; And also the Talleyes of reward divided accordingly.

LXVIII. The Barons of the Exchequer calling to them the Officers of the Treasurers remembrance, shall order the speedy payment of such Creation-money, fees, annuities, and other sums of money, as ought to be paid by the said Sheriffs.

LXIX. Provided, that the said Sheriffs shall pay for fees but the one half of what was formerly paid by them, when they were Sheriffs of two Counties.

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LXX. Stat. 13. El. 22. The Statute of 8 El. 16. is made perpetual, except for the Counties of *Surrey* and *Sussex*.

LXXI. Stat. 27. El. 7. No Sheriff, Coroner, or other person, having return of Writs, shall return any Juror dwelling out of a Liberty without the true addition of the place of his abode at the time of such return, or within a year before, or some other addition, by which the party returned may be known, nor any Juror within a Liberty, with other addition then shall be given him by the Bailiff thereof, and his Deputy under his or their hand.

LXXII. No Bailiff of a Liberty or his Deputy, shall return any Juror, or deliver to the Sheriff or his Deputy, the names of any to be returned upon any Pannel or Jurie without their true addition under his or their hand, of their abode, at the time of such return, and within one year before or some other addition, whereby the party may be known: Neither shall any issues go forth against any person otherwise returned in the Original Pannel or *Tales*.

LXXIII. No Sheriff, Bailiff, or other, shall levie any Issues so estreated of any other person, then of such as by the estreat ought of right to be charged therewith, in pain that every Clerk who shall write or deliver, or procure such estreat to be delivered or put in ure, and every other person offending, contrary to the meaning of this Act, shall forfeit 5 Marks to the Queen, and as much to the party grieved, to be recovered by Action of debt, &c.

LXXIV. Justices of *Oyer* and *Terminer*, Assize and Peace, have power to hear and determine the offences aforesaid, and to issue forth Process for levying of the said forfeitures.

LXXV. Stat. 27. El. 12. Every under-Sheriff, before he intermeddles with his Office, shall before one of the Justices of Assize, or the *Custos Rotulorum* of the County, or two Justices of the Peace there (1. Qu.) take the oath of Supremacy (*which see in Crown*) and also the Oath hereafter written, in pain to forfeit treble damages to the party grieved, if he commit any Act contrary to the said Oaths, or either of them.

LXXVI. The Form of the other Oath is as followeth:

LXXVII. J. A. B. *Shall not use, nor exercise the Office of under-Sheriff corruptly, during the time that I shall remain therein, neither shall I will, accept, receive, or take by any colour, means, or device whatsoever, or consent to the taking of any manner of fee or reward, of any person or persons for the empanelling, or return of any Enquest, Jury or Tales, in any Court of Record for the King, or betwixt party and party above two shillings, or the value thereof, and such fees as are allowed and appointed for the same, by the Laws and Statutes of this Realm: But will, according*

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ding to my power, truly and indifferently with convenient ſpeed, impanel all Jurors, and return all ſuch writ or writs touching the ſame, as ſhall appertain to be done by my duty or office, during the time that I ſhall remain in the ſaid Office. So help me God.

LXXVIII. No Bailiff of Franchiſe, Deputy or Clerk of a Sheriff or Under-Sheriff, ſhall intermeddle with their ſeveral Offices, before they have taken the ſaid Oaths, as aforeſaid, (altering onely the terms of Office, in pain to forfeit 40*l.* to be divided betwixt the King and the proſecutor.

LXXIX. Juſtices of Aſſize, and Juſtices of Peace in Seſſions, have power to hear and determine the defaults and offences aforeſaid, and upon conviction to award proceſs accordingly.

☞ LXXX. *Stat.* 29. *El.* 4. No Sheriff, Under-Sheriff, Bailiff of a Liberty, or any of their Deputies, ſhall either directly or indirectly, take more for ſerving an Extent or Execution, then after 12 *d.* for every pound under 100 *l.* and 6 *d.* for every pound above 100 *l.* in pain to forfeit treble damages to the party grieved; and beſides 40 *l.* betwixt the Queen and the proſecutor.

LXXXI. This Act ſhall not extend to fees of Executions within Cities or Corporations.

LXXXII. *Stat.* 43 *El.* 6. If any Sheriff, or other, taking upon him to break Writs, do make any warrant for ſummons, or upon any Writ, Proceſs or ſuit, or for any arreſt or attachment of body or goods, againſt any perſons, to appear in any of the Queens Courts, (not having the Original Writ or Proceſs warranting the ſame) upon complaint thereof to the Juſtices of Aſſize of the County where the offence was committed, or the Judges of the Court, out of which the Proceſs iſſued, the party ſo offending, and all procurers thereof ſhall be ſent for before the ſame Juſtices or Judges by attachments or otherwiſe, and ſhall be examined upon their oaths concerning the ſame.

LXXXIII. If the offence ſhall be confeſſed, or proved by ſufficient Witneſſes, the ſaid Juſtices or Judges, ſhall forthwith commit the offendor to the Goal of the County or Court where he ſhall be examined, from whence he ſhall not be enlarged until he have paid the party grieved 10 *l.* and all his Coſts and Damages, to be aſſeſſed by the ſame Juſtices or Judges, and likewiſe 20 *l.* to the Queen.

LXXXIV. *Stat.* 21. *Jac.* 5. A *Quietus eſt* ſhall be a ſufficient diſcharge for a Sheriff, unleſs he be queſtioned within four years after the grant thereof.

Every

LXXXV. Every Officer or Minister, that shall send out or cause to be sent out, any Writ or Process, or by whose default any Writ or Process shall be sent out contrary to this Act, shall for every such offence forfeit and pay to the party grieved, 40 *l.* and his costs and damages, to be recovered by Action of debt, *&c.*

LXXXVI. Stat. 14. *Ca.* 2. *ca.* 21. The unnecessary charges, and tedious attendance in passing the accompts of Sheriffs, being very burthensome, it is Enacted, that Sheriffs shall not keep Tables for receipt of any other then their own Family or Retinue, nor shall send any Presents, to any Judge of Assize, nor give any gratuity to any Officer, nor have more then 40 Men-servants, nor under 20 in any County in *England*, nor under 12 in *Wales*, upon forfeiture of 200*l.* for every default. Proviso, this clause not to extend to the Sheriffs of Middlesex and *London*, nor *Westmerland*, nor any Sheriff of a City and County, or Town and County.

LXXXVII. Sheriffs within *England* shall not be charged to answer any illeviable seisure, Farm, Rent, Debt, or other thing whatsoever, which was not writ in process to them to be levyed, and the persons, Lands and Tenements, of which the same is levyable, particularly expressed, but shall be discharged without Petition, Plea, or other trouble, or charge whatsoever.

LXXXVIII. All seisures made before 1 *Jac.* R. 1. and yet remaining upon the Sheriffs accompts, and all seizures and debts, pardoned, are discharged, and to be left out of their Accompts; and no process to issue for levying the same, nor any other Rent or Farm, not particularly set forth, or which hath been unanswered for 40 years past: And all other dead Farms and seisures, and all desperate, illeviable and unintelligible debts shall be removed out of the annual Roll and Sheriffs charge in the exannual Roll, there to remain until revived and made answerable by Commission.

LXXXIX. The several remembrancers shall enrole and certifie the ingroser of the great Roll, all debts chargeable upon Sheriffs, by their Returns into the Exchequer, upon Writs of *fieri fac.* *levari fac.* *Capias*, and other process, and all Fines and Amercements upon Sheriffs already set before the first of *Febr.* 1662. and all Debts, Fines and Amercements hereafter set before the first day of the next Term, after return of such Fines and Amercements set, that so they may be charged and comprehended within the *Quietus est*, upon pain of 40 *l.* upon the Officer for every default, the one moyety to the King, the other to the party grieved.

And none shall be Sheriff, except he have Lands in the same County, sufficient to answer the King and his people.

Every

LXXXX. Every Sheriff having obtained a *Quietus est*, (as by the Act 21 *Jac. ca.* 5. he might) the Sheriff, his Heirs, Executors, Land and Tenements shall be clearly discharged of all accompts and debts whatsoever, unless he be prosecuted, and Judgment given within 4 years after the same, and every Officer, by whose default any process shall be sent contrary to this Act, shall incur the same penalty as aforesaid.

Provided, this Act not to extend to the Counties of *Chester Lancaster, Durham*, or the Counties of *Wales*, being Counties Palatines, as to the manner of their accompting, who are to accompt before the respective Auditors, as formerly.

2. Not to extend to enjoyn the Remembrancers to transcribe in the Engroser of the great Roll, any Inquisitions or seisures, but such as have been formerly charged in the forraign accompts of Sheriffs. But Inquisitions upon attainders, and other forfeitures, to be put in charge as formerly.

3. Nor to exclude his Majesties Remembrancer, from writing forth process for his Majesties Debts, Duties, Outlawries, or other charge, or process of *levari fac.* at any persons suit, to levy Issues of Lands seised, or *venditioni exponas*, for goods for any debt to the King, or upon Outlawry, or to alter any pleading touching the same.

4. That no Debt, Duty, Fine, Amercement, or seisure charged in the great Roll of the Pipe, by any Record in the Office of the Kings Remembrancer, nor any proceeding thereupon, be stayed compounded, or discharged, but by order or Judgment entred in the said Office of the Kings Remembrancer, where the original of such debt or charge remaineth.

5. If any the debts, seisures, fines, or other be not levyed or paid upon process of summons of the Pipe, the Clerk of the Pipe shall the next Tearm after return of such process, certifie the Office of the Kings Remembrancer, who shall issue process for levying the same.

6. Antient and lawful fees belonging to the Office of the King's Remembrancer, not abridged by this Act.

The Act to continue to the end of the first Session of the next Parliament, and no longer,

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Ships.

I. Stat. 38 E. 3. 8. No owner of a Ship, ſhall forfeit the ſame for any ſmall thing put thereinto (without his knowledge) not cuſtomed for.

II. Stat. 5 R. 2. 3. None of the Kings Subjects ſhall export or import any Merchandize, but only in Ships of the Kings allegiance, in pain to forfeit all Merchandiſe otherwiſe conveyed, or the value thereof, whereof the finder ſhall have a third part of the Kings gift.

III. Stat. 6 R. 2. 8. The Statute of 5 R. 2. 3. ſhall onely have place, where able and ſufficient ſhips of the Kings allegiance may be found, otherwiſe the Merchants may hire other Ships, the ſaid Statute notwithſtanding.

IV. Stat. 14 R. 2. 6. *Engliſh* Merchants ſhall fraight (within the Realm) in *Engliſh* Ships, and not in ſhips of ſtrangers, ſo as the owners of ſuch *Engliſh* ſhips take reaſonable for their fraights.

V. Stat. 4 H. 4. 20. *Pars inde.* All Merchandize imported and exported, ſhall be charged and diſcharged in great Sea-Ports; and not in creeks and ſmall arrivals, in pain to forfeit to the King all Merchandize otherwiſe charged or diſcharged, except any Veſſell ſhall be driven into ſuch a ſmall Creek by tempeſt.

VI. Stat. 15 H. 6. 8. None ſhall ſhip any Woull, woolfels, or other Mechandize pertaining to the Staple, but only at the Keys and Ports, aſſigned by the Statute where the Kings Weights and Woolls are ſet.

VII. Every Maſter of a Veſſel, wherein ſuch Merchandize is ſhipped, ſhall give good ſecurity to the Cuſtomers there, to tranſport the ſame to the Staple at *Calais*, and to bring a certificate thereof from thence, ſaving to all Merchants of *Jeane*, *Venice*, *Tuſcany*, *Lombardy*, *Florence*, and *Catalonia*, and to the Burgeſſes of *Barwick*, their liberty formerly granted by Statute.

VIII. Stat. 4 H. 7. 10. No *Gaſcoign* or *Guien*-wine, or *Tholouſe*-woad, ſhall be imported into this Realm, but in *Engliſh*-veſſels, in pain to forfeit the ſame.

IX. None ſhall fraight in any ſtrangers ſhip, any Merchandize, to be imported or exported into, or out of this Realm, if he may have ſufficient fraight in the ſame Port in a Denizens ſhip, in pain to forfeit all Merchandize otherwiſe ſhipped, to be divided betwixt the King and the ſeiſor.

X. This Act ſhall not extend to any Ship (having Merchandize) forced by tempeſt into any part within this Realm, ſo as the owner thereof make no ſale of ſuch Merchandize within this Realm, ſave only for neceſſary victual, or repairing of the ſhip and tackle.

XI. Stat. 32 H. 8. 14. *Gaſcoigne* or *Guian* Wines, or *Tholouſe* Woad may be imported into this Realm in any other ſhips, as well as *Engliſh*, notwithſtanding the Statute of 4 H. 7. 19.

XII. Stat. 1 El. 13. The Statute of 5 R. 2. 3. and 4 H. 7. 10. are made void.

XIII. If any owner of any Merchandize ſhall (in time of Peace) embarque or unload any part thereof (Maſtreſt, Pitch, Tar, and Corn only excepted) out of, or into any other then an *Engliſh* bottom, he ſhall pay cuſtom for the Queen for the ſame, as an alien.

XIV. No *Engliſh* man ſhall croſs the Sea with any Hoys or Pleyt in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

XV. Provided, that Merchants at their ſeveral ſhippings of cloth or wool out of the *Thames* (to be twice in the year at the moſt) may imbarque Merchandize in a ſtrangers ſhip, ſo long as there are not *Engliſh* ſhips enough, and convenient to convey ſuch Merchandize into *Flanders*, *Holland*, *Zealand*, or *Brabant*, without paying any greater cuſtome, than *Engliſh* men uſe to do: And *Briſtoll* men ſhall do the like, by reaſon of greater loſſes lately ſuſtained by them.

XVI. Stat. 5 El. 5. Any Subject may export out of this Realm without paying cuſtome for the ſame: *But this Act was expired at the Queens death.*

XVII. None ſhall ſet price, make reſtraint, or demand toll of any Sea-fiſh imported into this Realm by any of the Queens Subjects, in pain to forfeit the value of ſuch fiſh ſo ſet price of, reſtrained or tolled.

XVIII. This Act ſhall not reſtrain the Inhabitants of *Hull* to take Toll and Cuſtome, according as is limited by the Statute of 32 H. 8. 33. (*which ſee in Hull* 1. Howbeit, they ſhall not take liberty thereby to tranſport Herring or Salt-fiſh.

XXI. No Purveyor ſhall take any Sea-fiſh of any that ſhall bring the ſame in any Subjects ſhip, in pain to forfeit the double value thereof: Howbeit, Compoſition fiſh (of people travelling into *Iceland*) due to the Queen and other perſons, ſhall be paid as formerly.

XX. No Herring ſhall be bought of a ſtranger, or out of his bottome, being not ſufficiently ſalted, pickled, and caſked, in pain to forfeit

forfeit the ſame, or the value thereof; except ſuch Veſſell be driven in by ſhipwrack.

XXI. No fiſh, victual, wares, or things ſhall be tranſported in a ſtrangers bottom, from one Port to another within this Realm, in pain to forfeit the ſame, or the value thereof.

XXII. Hoys and Plats may croſs the Seas, as far as *Cane* in *Normandy*, or Eaſtward, as far as *Norway*, notwithſtanding the Statute of 1 *El.* 13.

XXIII. All Cod and Ling ſhall be brought into this Realm, looſe, and not in barrel, in pain to forfeit the ſame, or the value thereof.

XXIV. No Wine of the growth of *France*, or any Woad of *Tholouſe*, ſhall be imported into this Realm in any other veſſel then *Engliſh*, in pain to forfeit the ſame, according to the Statute of 4 *H.* 7. 10. Only into *Wales*, *Rochel* Wines may be otherwiſe imported.

XXV. Owners of Ships, and all others uſing the trade of the Sea-fiſhing or otherwiſe, and every Gunner and Ship-wright may take Apprentices, to be bound for ten years, or under, by Indentures, to be inrolled in the ſame Corporation, if the Maſter dwell in one, but if not, in the next.

XXVI. So much of the Statute of 5. 6. *E.* 6. 14. (*which ſee in Victuallers*) and of all other Statutes, as concerns the buying of Sea-fiſh unſalted, or mud-fiſh, or any wine, oil, or ſalt, to be brought in an *Engliſh* veſſel to any Port within this Realm, ſhall be void.

XXVII. None ſhall eat fleſh upon days uſually obſerved as fiſh-days, in pain of 3 *l.* or three months impriſonment without bail. And they that wittingly ſuffer any ſuch offence to be done in their houſe, and do not diſcover it to an Officer, that may puniſh it, ſhall forfeit 40 *s.*

XXVIII. Theſe forfeitures ſhall be divided into three parts, whereof the Queen ſhall have one, the poor of the Pariſh another, and the informer the third.

XXIX. Notwithſtanding this Act, licenſes may be granted upon juſt cauſes, on theſe conditions following, *viz.* To a Peer or his Lady, if he pay yearly for it to the poor of the Pariſh where he dwells, 6 *s.* 8 *d.* To a Knight or his Lady, if he pay 13 *s.* 4 *d.* and to any other inferiour perſon, if he pay 6 *s.* 8 *d.* But here no licenſe ſhall extend to the eating of Beef at any time, or to the eating of Veal between *Michaelmas* and *May-day*.

XXX. The Miniſter of the Pariſh may grant a Licenſe to a ſick perſon during the time of his ſickneſs, and if the ſickneſs continue

above

above eight days, he ſhall in the preſence of one of the Churchwardens, regiſter the ſame, and have 4*d.* for the Regiſtring of it: Forfeiture, if he grant the licenſe without juſt cauſe, he ſhall forfeit 3*s.* 4 Marks.

XXXI. Wines ſhall be ſold (by retail) at ſuch prices, as ſhall be limited by the Queens Proclamation, with the aſſent of ſuch Lords and others, as by the Statute of 18 H. 8. 14. (*which ſee in* Wines) are authorized to ſet price on Wines in groſs.

XXXII. The Statute of 28 H 6. 19. (*which ſet in* Captains) ordained againſt ſouldiers, ſhall extend to Mariners and Gunners.

XXXIII. Theſe offences ſhall be heard and determined, as followeth, *viz.* being committed upon the main Sea, without the limits of the Cinque Ports, by the Lord Admiral, his Lieverenant or Deputies, or by Juſtices of *Oyer* and *Terminer*, according to the Statute of 28 H. 8. 15. (*which ſee in* Tryal) but if without any Port, and yet within the Juriſdiction of any of the Cinque Ports, then by the Lord Warden of the Cinque Ports, or his ſubſtitute, or by Juſtices of *Oyer* and *Terminer*, according to the Statute of 28 H. 8. Or if in a Port, or elſewhere, upon the main land, then the Juſtices of Peace, or other chief Officers in Seſſions, within their ſeveral Juriſdictions: And here the tryal may be by the oaths of twelve men, or otherwiſe by information; And for levying the ſaid forfeitures, the ſaid Officers and Juſtices may iſſue out Proceſs at their diſcretion.

XXXIV. The time limited for the proſecution of this Action is for a Subject ſix months, and for the Queen a whole year.

XXXV. Every ſuch perſon licenſed to eat fleſh, as aforeſaid, (except for ſickneſs, age, or other impediment) ſhall have at his Table for every diſh of fleſh, one diſh of fiſh, upon like pain, as for eating fleſh upon Fiſhdays.

XXXVI. If any ſhall by Preaching or otherwiſe, avouch, or affirm that any eating of fleſh, or forbearing of fleſh, is neceſſary for the ſaving of the ſoul, or the ſervice of God, otherwiſe then as the politick Laws be, ſhall be puniſhed as a ſpreader of falſe News. (*Which ſee in* News.

XXXVII. Fiſhermen or Mariners, ſhall not be compellable to ſerve as ſouldiers, otherwiſe then as Mariners, unleſs for ſome Royall exploit, or to withſtand an Invaſion, or ſubdue a Rebellion, or bound ſo to do by tenure, cuſtome, or covenant.

XXXVIII. The Liberties and Rights of others are ſaved.

XXXIX. Provided, that no Fiſherman uſing the Sea, ſhall be taken by the Queens Commiſſion to ſerve as a Mariner at Sea,

less the said Commission be first brought by the Queens Taker to the two next Justices of Peace, to the end they may choose and return such sufficient number of able men, as in the same Commission shall be contained.

XL. The Liberties of the *Cinque* Ports, and great *Yarmouth* are saved, other then for buying of strangers, and taking of toll, as the same are before prohibited.

XLI. This Act shall not prejudice the authority or jurisdiction of the Lord Warden of the *Cinque* Ports.

XLII. Wine may be imported into the Isle of *Man* and *Chepstow* in strangers bottoms; not exceeding an hundred Tun in one year in each of them, notwithstanding this Act. The like may also be done in all other Ports of *Wales* (besides the *Rochel*-Wines before permitted) so as the quantity exceed not an hundred Tun in one year, as before.

XLIII. The Queens duties for the three hundred Tun (mentioned in the last clause) are saved.

XLIV. The Lord Admiral, or his substitutes, shall have no greater authority then they had before this Act, save only for punishment of offences, as aforesaid.

XLV. **Stat.** 8 El. 3. None shall transport Sheep beyond Sea, in pain to forfeit all his goods, to suffer one years imprisonment, and to have his hand cut off in some open Market; and for the second offence, to suffer death as a Felon.

XLVI. This Act shall not extend to corruption of Blood, or forfeiture of Dower.

XLVII. Justices of Gaol-delivery and of Peace, have power to hear and determine this offence.

XLVIII. The aforesaid goods forfeited, shall be divided betwixt the Queen and the Prosecutor.

XLIX. **Stat.** 13 El. 11. So much of the Statute of 5 El. 5. as concerns the transporting of Herring and Sea-fish by the Subjects hence, and for not paying of Custom for the same, shall be revived, so as it be in vessels with cross sails.

No vessel (called Catch, Mongers, or Picard) shall upon the coasts of *Norfolk* and *Suffolk*, between the 14. of *September*, and the 1. of *November*, from Sun-setting, to Sun-rising, anchor upon the Sea, or in the trade of fishing, in pain to forfeit their vessel, or the value thereof, to be divided betwixt the Queen and the Corporation of Great *Yarmouth*, to be imployed towards the damages of the poor grieved, and the repairing of the Haven there, and to be recovered by seisure, or otherwise by Bill, Action, &c.

LI. A barrel of 31 Gallons of Wine-measure (being about 28 Gallons by the old standard) which will contain usually 1000 full Herrings at least, shall be taken for the Assize of Herring-barrels.

LII. No foreign Fish shall be dryed in *England* to be sold, in pain to forfeit the same, or the value thereof, to the seisor and prosecutor.

LIII. Stat. 13 El. 15. So much of the Statute of 5 El. 5. as permits trolling the Sea with Hoyes and Plats, is repealed, and the Statutes of 1 El. 13. that prohibits them, is revived.

LIV. Stat. 35 El. 7. The aboveſaid penalty of 3 l. (limited by the Statute of 5 El. 5. is mitigated to 20 s. and that of 40 l. to 13 l. 4 d.

LV. Stat. 39 El. 10. The Queens Subjects (being owners of Ships with croſs-ſails) may take into their Ships, any Fish, which any Alien ſhall buy of any Subject, and may tranſport the ſame beyond the Sea in their ſaid Ships, ſo as ſuch aliens pay the cuſtom due for the ſame.

LVI. All Aliens ſhall pay like cuſtom for ſalt Fiſh, and Herrings by them imported into this Realm, as a Subjects of *England* pay there, from whence the ſaid Fiſh or Herrings were brought, beſides the Queens ordinary cuſtom.

LVII. None ſhall offer to ſell any unwholſome Fiſh (being warned thereof by the Officer) in pain to forfeit the ſame: And being an Alien, he ſhall forthwith export it, upon the like pain.

LVIII. Stat. 34 El. 9. No Ordinance made by the Fiſhmongers in *London*, or any other Corporation reſtraining any Coaſt-man, Fiſherman, or other, from taking, bringing in, putting to ſale, or buying of ſalt-fiſh, or Herrings (being wholſome) ſhall be put in execution, in pain of 100 l.

LIX. Stat. 1 Jac. 24. None ſhall make, or cauſe to be made any cloth for Ships-ſails (called Mildernix, and Powl-davis) but ſuch as now uſe the ſame Trade, or ſhall be hereafter trained therein by the ſpace of ſeven years together, in pain to forfeit 20 s. a month.

LX. The ſaid Clothes ſhall be made of good Hemp, and 33 yards long, and 3 quarters of a yard broad; And they ſhall not be put to ſale before the ſtuff thereof be well beaten, ſcoured and breached, and the Cloth well driven with a brazen or iron ſhuttle, in pain to forfeit for every cloth otherwiſe made, 5 l.

LXI. The forfeitures aforeſaid ſhall be divided betwixt the King and the proſecutor.

LXII. Stat. 12 Car. 2. cap. 14. The late proceedings touching aſſeſſing

ceasing and levying an Imposition called Ship-money, declared and adjudged unlawful, and all Records and Process, Judgments, and Proceedings, and enrolments thereof cancelled, and made void.

LXIII. 12 Car. 2. cap. 18. No goods shall be imported or exported out of any the Kings Islands, Plantations, or Territories of *Asia*, *Africa*, or *America*, but in vessels belonging to the people of *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, or are of them built, or belonging to the said Lands or Plantations, Provinces thereof, and whereof the Master and three fourths of the Mariners at least, are *English*; upon pain of forfeiture of all the goods and Merchandize imported or exported out of the said places, and the ship or vessel, and all the Ammunition and Furniture thereof; the third part to the King, one third part to the Governour of such Island or place where the fault shall be committed, if seised by him, and if not, then the said third part to the King, and the other third part to him that will seize, inform, or sue for the same in any Court of Record. And all Admirals and Commanders at Sea are required to seize the same as Prize-goods, and prosecute them to condemnation in the Admiralty, one moyety to the use of the said Commanders and their Companies, according to the Rules of Prizes at Sea, and the other moyety to the King.

LXIV. Aliens shall not exercise the occupation of Merchants or Factors in any the said places, upon pain of forfeiture of all the goods and chattels which be his, or in his possession. And all Governours of Plantations, before they enter upon their Offices, shall take an Oath, to endeavour the observance of the said Clauses, and upon complaint, and proof before the King, of any wilful negligence, to be removed from their Governments.

LXV. No goods or commodities whatsoever of the growth, production, or manufacture of *Africa*, *Asia*, or *America*, or any part thereof, as they are described in Maps of those places, shall be imported into *England*, *Ireland*, or *Wales*, Islands of *Guernsey* or *Jersey*, or Town of *Berwick* upon *Tweed*, but in *English* ships in manner aforesaid; upon penalty of forfeiture of the ships, vessels, goods, and furniture thereof, one moyety to the King, the other moyety to him that will sue for the same in any Court of Record.

LXVI. No Goods and Merchandize of foreign growth, production, or manufacture, shall be brought into *England*, *Ireland*, *Wales*, *Guernsey*, or *Jersey* Islands, in *English* ships, but only from the place of their growth, production, or manufacture, or the Ports where they have been first usually shipped for transportation, upon pain of forfeiture of the ship, or vessel, goods and furniture thereof, one

moyety to the King, the other to the informer, or seiser thereof.

LXVII. All Lings, Stock-fish, &c. Oyl, &c. Whale-fins, &c. Imported, not caught in vessels of the Owners thereof, shall pay double Aliens Customs.

LXVIII. No Goods to be laded or carryed from any Port of *England*, *Ireland*, *Wales*, Islands of *Guernsey*, or *Jersey*, or *Berwick*, to another, in the vessel of any Alien, not denizoned, upon forfeiture of the vessels, goods, and tacklings, one moyety to the King, the other moyety to him that shall inform, seize, or sue for the same in any Court of Record.

LXIX. Rates and abatements in the book of rates, to extend only where three fourth parts of the Mariners be *English*, during the whole Voyage.

LXX. Goods of the growth or manufacture of *Muscovy* or *Russia*, nor no sorts of Masts, Timber, Boards, &c. shall be imported but in such vessels as belong to the people thereof, or some of them, as true Owners thereof, whereof the Master, and three fourths of the Mariners *English*; nor no goods of the *Ottoman* or *Turkish* Emperours dominions imported, but only in vessels of that Country, of which the said goods are of the growth or manufacture, or where such goods can be only, or are most usually shipped for transportation, and whereof the Master, and three fourths of the Mariners are of the said Country, upon pain of forfeiture as aforesaid.

LXXI. For preventing Frauds in concealing Aliens goods, all Wines of the growth of *France*, or *Germany*, imported into any the Ports or places of *England* and *Ireland*, *Wales* and *Berwick*, in any other Ship or Vessel, than belonging to the places of *France*, &c. and manned as aforesaid, shall be adjudged aliens goods, and pay Customs and Duty to the Town or Port where they shall be imported. And all Masts, Timber-boards, &c. of the growth of *Spain*, Canary Islands, *Portugal*, *Madera*, *Western* Islands, *Muscovy* or *Russia*, imported in any other Ships, than of the said places; And all *Turky* Commodities, otherwise imported than as aforesaid, shall pay Customs as Aliens goods.

LXXII. Officers of the Custom may not allow any the Privileges aforesaid to forrein built ships, nor *English* built ships for forrein goods, without certificate and proof by Oath taken before them upon examination whether the Master and three fourths of the Mariners be *English*, or of the Country from whence the goods come, upon pain to forfeit their places.

LXXIII. Proviso, to exempt coming from the *Straights*, &c.

ware, though not of the very growth of the ſaid places.

LXXIII. Proviſo, Not to reſtrain the importing any *Eaſt-India* Commodities in *Engliſh*-built ſhipping, manned with Mariners as aforeſaid, from uſual places in thoſe Seas, to the *Southward*, though not of the ſaid growth.

LXXIV. Proviſo, That the people of *England*, *Ireland*, *Wales*, *Guernſey* and *Jerſey* Iſlands, and *Berwick*, may bring (in *Engliſh* Ships manned as aforeſaid) from any Ports of *Spain* or *Portugal*, or *weſtern* Iſlands called *Azores*, or *Madera*, or *Canary* Iſlands, all ſorts of Commodities of their growth, manufacture or Plantations.

LXXV. Proviſo, Not to extend to Bullion or Goods taken by reprizal, by any Ship of *England*, *Ireland*, *Wales*, *Guernſey*, *Jerſey* Iſlands, or *Berwick*, Navigated as aforeſaid, and having Commiſſion from the King.

LXXVI. Proviſo, Not to extend to lay Aliens duties upon Corn and certain other goods of *Scotland* imported in *Scotch* Ships, Navigated by three fourths of the Kings Subjects, nor to Seal Oyls of *Roſſa*.

LXXVII. Proviſo, Impoſing duties upon certain *French* Ships, to continue ſo long as a certain duty of 50 Soulz *per* Tun upon *Engliſh* by the *French* ſhall be payable, and 3 months after, and no longer.

LXXVIII. Sugars, Tobacco, Cotton Wooll, Indico, Ginger, Fuſtick, or other dying Wood, of the production of *America*, *Aſia*, or *Africa*, ſhall not be ſhipt or conveyed from any the ſaid Plantations, but ſuch other as belong to the King, or to *England*, *Ireland*, or *Wales*, and there laid on ſhore, upon pain of forfeiture, one moyety to the King, the other moyety to the Informer.

LXXIX. Ships of *England*, *Ireland*, or *Wales*, ſailing to any *Engliſh* Plantation in *America*, *Aſia*, or *Africa*, ſhall give ſufficient Sureties, to bring goods there laded into *England*, *Ireland*, *Wales*, or *Berwick* upon *Tweed*: And likewiſe Ships coming from other Plantations, ſhall give the like Sureties, and ſhall bring Certificates of the reſpective Governors of the ſaid Plantations, from the Officers of the Cuſtom-Houſe of *England*, &c. of their having given ſuch Bonds, upon pain of forfeiture of the Ships offending, their Guns, Tacklings, &c. And the ſaid reſpective Governors to return the Bonds ſo taken, twice every year, to the chief Officers of the Cuſtome-Houſe of *London*.

LXXX. 13 & 14 *Car.* 2. *cap.* 9. Articles to be obſerved for the publique Worſhip of God, puniſhing certain offences, and for the regulating and better governing of the Kings Navies, Ships of War, and Forces by Sea: And impowring the Lord Admiral to grant Commiſſions to call Court-Marſhals.

LXXXI. All Faults, Misdemeanors and Disorders committed at Sea, not mentioned in the Act to be punished according to the Laws and Customs in such cases used at Sea.

LXXXII. Proviso, Not to extend to give the Lord Admiral of *England*, or other his Officers, any other Power, Jurisdiction, or Authority, then they ought to have before this Act, other then touching the said offences mentioned in the said Articles, done upon the main Sea, or in the Ships or Vessels in the main stream of great Rivers, only beneath the Bridges nigh the Sea, within the Jurisdiction of the Admiralty, and committed only by such persons as be in actual service, and pay in the Kings Fleet, or Ships at Sea.

LXXXIII. Stat. 16 Car. 2. cap. 7. An Act to prevent the disturbance of Seamen and others, and to preserve the Stores belonging to his Majesties Navy Royal. *Vid. the Act being but upon Continuance for two years from the First of June, 1664. And from thence to the end of the next Session of Parliament.*

LXXXIV. Stat. 16 Car. 2. cap. 8. An Act to prevent the delivering up of Merchants ships to Pyrats and Sea-Rovers, having sufficient to defend themselves. *Vid. the Act being but upon Continuance for three years, and from thence to the end of the next Session of Parliament, and no longer.*

Silk.

* I. Stat. 19 H. 7. 21. None shall bring, or cause to be brought into *England*, any Silk wrought (by it self, or with other stuff) out of *England*, in Riband, Laces, Girdles, Corles, Calles, Corses of Tissues, or Points, in pain to forfeit the same, or the value thereof to be divided betwixt the King and the seisor, or prosecutor: But all other Silk (both wrought and raw) may be imported and sold at pleasure.

II. Stat. 14 Car. 2. cap. 15. An Act incorporating and for regulating, ordering, and managing the Trade and Mystery of Silk-throwing. *See the Act.*

Southampton.

I. Stat. 11 H. 7. 5. Every man may pull down the Weare and Engine in the Haven of *Southampton*, between *Calshord* and *Redbridge*; And whosoever levieth any other there, shall pay 100 l. to the King.

II. Stat. 14 H. 8. 13. A confirmation of 11 H. 7. 5. and the same made perpetual.

III. Stat. 4 Jac. 10. An Act was made for the confirmation of some part of a Charter granted by H. 6. to the Mayor, Bailiffs, and Burgeſſes of Southampton, and for the relief of the Town. See the Statute at large.

Spice.

I. Stat. 1. 19 Jac. 19. All Spice, Drugs, and other Merchandize Garbleable, ſhall (for the fees uſually allowed) be ſufficiently cleanſed and garbled, and afterwards ſealed by the Garbler (thereto appointed) or his Deputy, before they be ſold, in pain to forfeit them, or the value thereof: Alſo ſuch (as after Garbling) ſhall be again mixed with Garble, ſhall likewiſe be forfeit.

II. It ſhall be lawful for the ſaid Garbler, to ſearch in Shops, Cellars, Ware-houſes, and other places, for Wares ungarbled, and if he find any ſuch, to cauſe them to be Garbled.

III. The forfeitures of this Act, are to be divided betwixt the King and the Proſecutor.

IV. Spices, or other Garbleable Merchandize imported, and afterwards within eight months exported without being ſold, or Garbled, ſhall not be within the danger of this Act.

Spiritual Laws.

I. Stat. 13 El. 12. Every Spiritual perſon (under the degree of a Biſhop) pretending to be a Prieſt or Miniſter of the Word, by any other form of Inſtitution or Conſecration, then that eſtabliſhed by E. 6. or now uſed, ſhall before *Chriſtmas* next (in the preſence of the Biſhop, or Guardian of the Spiritualties of the Diocels where he hath his Benefice) declare his aſſent, and ſubſcribe to the Articles of Religion, (put forth by the Queens Authority) and ſhall bring from ſuch Biſhop (or Guardian) under his ſeal, a Teſtimonial thereof, and publikely (on ſome Sunday at Evening-prayer) where his Benefice is, read the ſaid Teſtimonial and Articles in pain to be, ipſo facto, deprived of all his Spiritual Promotions, as if he were dead.

II. If any Eccleſiaſtical perſon (having a Benefice) ſhall maintain any Doctrine repugnant to the ſaid Articles, and being thereof convicted before the Biſhop, Ordinary, or High Commiſſion,

shall persist therein, or after revocation thereof, shall affirm the same again, it shall be lawful for such Bishop, Ordinary, or High Commission to deprive him.

III. None shall be admitted to a Benefice with Cure, unless he be a Deacon, and of the age of 23 years, and shall subscribe the said Articles in the presence of the Ordinary, and publickly read them in the Church of his Benefice, and declare his assent thereunto.

IV. Every person hereafter to be admitted to a Benefice with Cure, shall within two months after his Induction, publickly read the said Articles in the Church whereof he hath the Cure, in Common-prayer-time, with declaration of his assent thereunto, and be admitted to administer the Sacraments within one year after his said Induction, (if he be not admitted before) in pain upon every such default, to be deprived *ipso facto*.

V. None shall be made Minister, or admitted to preach, or administer the Sacraments, under the age of 24 years, nor unless he first bring to the Bishop (from some known to the Bishop to be of sound Religion) a Testimonial of his life and Doctrine expressed in the said Articles, and be able to render an account of his Faith in Latine, according to the said Articles, or have special gift or ability to be a Preacher: Neither shall any be admitted to be a Deacon or Minister, unless he first subscribe the said Articles.

VI. None shall be admitted to a Benefice with Cure of 30 l. *per annum*, in the Queens-Books, unless he be a Batchelor of Divinity, or a Preacher, lawfully allowed by some Bishop, or one of the Universities.

VII. All Admissions, Institutions, Inductions to Benefices, and all Dispensations, dispensations, qualifications, and licenses whatsoever to the contrary hereof, shall be void in Law.

VIII. Provided, That no Title to confer or present by *lapse*, shall accrue upon any deprivation, *ipso facto*, but after six months after notice of such deprivation given by the Ordinary to the Patron.

Spiritualty.

I. Stat. 4 H. 4. 2. *Pars inde*, The Statutes made in the 25 E. 3. touching the Clergy of *England*, shall be put in execution.

II. Stat. 4 H. 4. 3. All Statutes, Ordinances, and Grants made by the Kings Progenitors (Kings of *England*) to the Clergy of *England*, for the conservation of their Liberties, and privileges, and of the Liber-

Liberties and Muniments of Holy Church, (not revoked) shall be firmly observed and put in due execution.

Stanes.

I. Stat. 1 H. 8. 9. An Act concerning the maintaining of the Bridge and Causey of *Stanes*, and for the gathering of the toll there, and the Letters Patents made of the toll there, shall be void. *See the Statutes at large.*

Staple.

I. Stat. 2 E. 3. 9. All Staples shall cease, and all Merchants may come in and go out with their Merchandize at their pleasure, according to the great Charter.

II. The Statute of the Staple, *Cap.* 1. 27 E. 3. The Staple of *English* Wool, Leathers, Wool-fels, and Lead shall be holden for *England* at *Newcastle* upon *Tine*, *York*, *Lincoln*, *Norwich*, *Westminster*, *Canterbury*, *Chichester*, *Winchester*, *Exeter*, and *Bristol*: For *Wales*, at *Carmardin*: And for *Ireland*, at *Dublin*, *Waterford*, *Cork* and *Drogheda*, and not elsewhere.

III. When the said Merchandize is to be exported, they shall be first brought to the said Staples to be Weighed by the Standard; and every sack and sarplet of wool so weighed, shall be sealed under the Seal of the Mayor of the Staple.

IV. The wools so weighed and sealed at *York*, *Lincoln*, *Norwich*, *Westminster*, *Canterbury*, and *Winchester*; and also Leather, Woolfels, and Lead, which shall be brought thither (the customes of the Staple being paid) shall be witnessed by Bill under the Seal of the Mayor of the Staple, and shall be from thence conveyed to the Ports following, *viz.* from *York* to *Hull*, from *Lincoln* to Saint *Botolph* (*viz. Boston*) from *Norwich* to great *Yarmouth*, from *Westminster* to *London*, from *Canterbury* to *Sandwich*, and from *Winchester* to *Southampton*: And there the Woolls and Lead shall be again weighed by the customers assigned in the same Ports. But the Woolls and Lead brought to *Newcastle*, *Chichester*, *Exeter*, *Bristol*, *Carmardin*, *Dublin*, *Waterford*, *Cork*, and *Drogheda*, shall be once weighed by the Standard in those several Ports in the presence of the customers there.

V. An Indenture shall be made at the said Ports betwixt the Mayor of the Staple and the Customers there of all Woolls, Lead, Leather, and Woolfels brought thither; And they also shall be there customed and cocketed, and the customs thereof duly paid, which shall be for *Denizens*, half a Mark for a sack of wooll, and as much

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for 300 woolfels, and 1 Mark for a laſt of Leather; but for Aliens, 10 s. for a ſack of Wool, 10 s. for 1000 Woolfels; and 20 s. for a laſt of Leather: and 3 d. for every Sow of Lead.

VI. The ſaid Merchandize ſhall be tranſported beyond Sea from the ſaid Ports by Merchant-ſtrangers, and not by *Engliſh*, *Welſh*, or *Iriſh*.

VII. Neither the Mayor nor Cuſtomers ſhall delay any man for gain, nor take any more than appertaineth to their Offices, in pain of impriſonment, and to anſwer the party double of what is ſo taken, together with his damages occaſioned by ſuch taking or delay; and beſides, ſhall be ranſomed at the Kings will.

VIII. The Mayor of the Staple and the Cuſtomers, ſhall take an Oath of all Merchants, that ſo tranſport the ſaid Merchandize, that they they ſhall hold no Staple thereof beyond Sea.

IX. *Statutum Stapul. Cap.* 4. None going to, or coming from the Staple, ſhall be diſturbed by the Purveyors of the King, or any other; ſaving to the King all prices Royal, and all carriage and victual, as hath been accuſtomed.

X. Every Carrier returning from the ſtaple, ſhall have a Bill under the Mayors Seal, teſtifying that he ſerveth the Staple, and containing his journeys home, which Bill ſhall be freely granted, and the Mayor ſhall be ſworn to give no Bills to any but ſuch as ſerve the Staple.

XI. If any thing pertaining to the Staple be ſo taken, Hue and Cry ſhall be levied after the offender, by the Town where it is taken, or by the next; and if it be within the Verge, the offender ſhall be puniſhed by the Kings Steward and Marſhall; but if out of the Verge, he ſhall be conveyed to the Goal, and ſuffer as a Felon, if the offence require it.

XII. If the Town and Towns be negligent to arreſt the offender, the four Towns next adjoyning ſhall anſwer the party grieved his damages, if they cannot reaſonably excuſe themſelves.

XIII. If ſuch offence be committed within the Staple, the Mayor and Miniſters of the Staple ſhall arreſt the taker, and do the party grieved right; but if the Staple be within the Verge, and the taker be one of the Court, in that caſe the Mayor and Miniſters ſhall call them to the ſaid Steward and Marſhall, or the Steward's Lieutenant, to ſee right done according to the Law of the Staple; Howbeit, if they come not, the ſaid Mayor and Miniſters ſhall proceed without them.

XIV. *Statutum Stapul. Cap.* 5. None of the Kings Juſtices ſhall take Conuſans of any thing that pertains to the Staple.

XV. Statutum Stapul. *Cap.* 6. None of the Kings Officers shall meddle in the places, where the Staples be holden, in pain to answer the party grieved *quadruple* damages, and to be grievously punished by the King.

XVI. Statutum Stapul. *Cap.* 7. All Licenses granted to *English*, *Welsh*, or *Irish*, to transport the abovesaid Merchandize contrary to this Statute of the Staple, shall be void.

XVII. Statutum Stapul. *Cap.* 8. The Mayors and Constables of the Staple, shall have Jurisdiction and Conusance within the Staple, of all people and things which concern the Staple, and all people coming thither, shall be ruled by the Law-Merchant, and not by the Common Law, or other customs: So that if either Plaintiff or Defendant be of the Staple, the Action may be tryed before the said Officers, whether the Contract or Covenant were made within the staple or without; but trespass there triable must be done within the said staple: Howbeit, Pleas that concern the Kings Court, shall be heard and determined by the Steward or his Lieutenant, and the Marshals, together with the said Mayor; And Pleas of Land and Freehold, shall be at the Common-Law.

XVIII. If Felonies, or Mayhemes be there committed, the Mayor, & other sit persons, shall be assigned to hear and determine them according to the Common Law, and none shall detain such an offender, in pain of 100 *l.* And indictments found without the Staple of offences done within it, shall be sent to the said Mayor and Justices to do right therein.

XIX. When an issue is to be tryed before the Mayor by an Enquest, if the parties be both Denizens, the Enquest shall be all Denizens, and when they are both Aliens, they shall be all Aliens: but when the one party is a Denizen, and the other an Alien, half the Enquest shall be Denizens, and the other half Aliens.

XX. Statutum Stapul. *Cap.* 9. The Mayor of the Staple may take a Recognisance of a debt, in the presence of the Constables of the Staple, or one of them; And there shall be a Seal ordained, to remaining with the Mayor, under the Seal of the Constables, with which every Obligation upon such Recognisance shall be sealed, and for every such Obligation under 100 *l.* they shall pay a half peny in the pound, but for those above, only a farthing in the pound.

XXI. Upon such Obligation after default of payment, the Mayor may imprison the Debtor, and arrest his goods, and sell them to satisfie the Creditor: But if the Debtor be not found within the Staple, the Mayor shall certifie the Obligation into the Chancery, from

from whence shall thereupon issue a Writ against the debtors person, lands, goods, and chattels, returnable into the Chancery, and thereupon due execution shall be made, as is contained in the Statute-Merchant; so that the Creditor may have Freehold in the Debtor's lands, which shall be delivered unto him by the same Process, and likewise recovery by Writ of *Novel disseisin*, if he be put out: But here, the Debtor shall have no advantage of the quarter of a year, that is contained in the said Statute-Merchant.

XXII. **Statutum Stapul.** *Cap.* 15. They who have wool, leather, fells, or lead, betwixt the places where the Staples be, and the Sea, and seem to intend to carry them to the Staple, shall make Indentures betwixt them and the Bailiffs of the Town, where they ship them, testifying how much they have so shipt.

XXIII. The Bailiffs of such places shall take an Oath, and sufficient surety of them and the Mariners, that they shall carry them to the staple, and not elsewhere, and there shall discharge them before they enter the Sea.

XXIV. The said Bailiffs shall send one part of the Indentures to the said Mayor of the Staples (whither they pretend to carry the goods) by a messenger (for whom they will answer) at the costs of the Owners of the goods; And all this the said Bailiffs and Merchants shall do, in pain to incur the punishment contained in the third Article of this Statute; *which see in Merchants.*

XXV. **Statutum Stapul,** *Cap.* 16. In every Town where the Staple is, there shall be certain rows and places provided, where the wools and other merchandize may be put; And houses there shall be set at reasonable rates, to be assessed by the Mayor or Constable of the staple, and four discreet men of the Town: where the staple is, who shall be sworn to make a lawful tax; and none shall be disturbed to lodge his Merchandize in such hired house.

XXVI. **Statutum Stapul.** *Cap.* 18. Merchants of *Ireland* and *Wales*, who cannot sell their Wool, Woolfels, Leather, or Lead in *Ireland* and *Wales*, may bring them to the staples of *England*, having first paid Custome of them in the places from whence they brought them, in respect whereof they shall not be charged with Custome in *England*: Howbeit, if they carry them elsewhere, they shall incur the penalties of the said third Article.

XXVII. The Treasurer and Barons of the Exchequer shall yearly (at *Easter* and *Michaelmas*) have an accompt, what merchandize is so conveyed out of *Ireland*, and of the custom paid for the same.

XXVIII. **Statutum Stapul.** *Cap.* 19. No Merchant or other shall lose his goods for the offence of his service, unless he did it by

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the command or procurement of his Master: and ſpeedy Juſtice ſhall be done to Merchants from day to day, and hour to hour.

XXIX. **Statutum Stapul.** *Cap.* 20. If any wrong be offered a Merchant-ſtranger out of the ſtaple, the Juſtices there ſhall do him right according to Law-Merchant, viz. ſpeedy Juſtice, and if any be convict thereof, he ſhall forfeit to the King as much as the Merchants damages amount unto, and ſhall pay to the Merchants double damages.

XXX. **Statutum Stapul.** *Cap.* 21. In every Staple Town, there ſhall be a Mayor and two Conſtables eſtabliſhed, able for the execution of their ſeveral places; and when they die, or are changed, others ſhall be choſen in their rooms by the communalty of Merchants there: Howbeit, the Mayor ſhall not hold over his year, unleſs he be again choſen (as aforeſaid) and that as well by Aliens as Denizens.

XXXI. The Mayor and Conſtables have power to keep the peace, and to arreſt offenders there for debt, treſpas, or contract; and them to impriſon and puniſh, according to the law of the ſtaple, for which end a priſon ſhall be there alſo ordained.

XXXII. Officers of Corporations where the ſtaple is, or near adjoyning thereunto, ſhall (upon command) aſſiſt the Officers of the ſtaple in the execution of their Offices, in pain of grievous forfeiture: Alſo a Lord of moſt ſufficiency in the Countrey where the ſtaple is, ſhall be aſſigned to be aiding to them, as occaſion ſhall require, as well to reform offenders, as to redreſs miſtakes by them mitted: but the appeal for injuſtice in the ſtaple, ſhall be to the Lord Chancellor or Privy Council.

XXXIII. **Statutum Stapul.** *Cap.* 22. In every Staple there ſhall be Correctors appointed, able and ſufficient men (as well Aliens as Denizens) to record bargains betwixt buyers and ſellers, and they ſhall give good ſecurity before the Mayors and Conſtables, lawfully to execute their Office; and being found in default, ſhall anſwer damages to the party grieved: Howbeit, they ſhall not meddle with merchandize during their Office: But here, none ſhall be forced to uſe a Corrector, unleſs he pleaſe, nor give him any thing, unleſs he do ſomething at his requeſt.

XXXIV. **Statutum Stapul.** *Cap.* 23. A certain number of Porters, Packers, Winders, Workers, and other Labourers of Woole and other merchandize, ſhall be ordained for the ſtaple, who, together with the Correctors, and all other Officers of the ſtaple (except the Conſtables) ſhall be ſworn before the Mayor, duly to execute their Offices: Alſo all Merchants (both Aliens and Denizens)

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coming thither to merchandize, shall be sworn before the Mayor and Constables, to be justified by them, and to maintain the [illegible] and Usages of the staple; But the Mayor and Constables shall be sworn in Chancery duly to execute their several Offices.

XXXV. Statutum Stapul. Cap. 24. Merchants strangers shall chuse two Merchants strangers, who shall be assigned (the one for the South, the other for the North,) to sit (when they please) with the Mayor and Constables of the staples, to hear plaints touching Merchants Aliens; but the Mayor and Constables shall not forbear to proceed if they come not: Howbeit, if they come, and any debate happen to arise between them, concerning such plaint, it shall be determined before the Chancellor, or the Kings Council.

XXXVI. Also six other persons shall be chosen, viz. two of Almaign, two of Lombardy, and two of England, who shall be sworn duly to execute their Offices in moderating differences among Merchants concerning things of the staple, which any four of them may (by their Oath) do before the Mayor and the Officers; and what they do therein, shall be definitive.

XXXVII. Statutum Stapul. Cap. 25. He that makes conspiracy or conspiracy, which may turn to the impeachment, disturbance, defeating, or decay of the said staples, or of any thing to them belonging, shall incur the penalties ordained in the said third Article.

XXXVIII. Statutum Stapul. Cap. 28. The Liberties of the staples are confirmed, notwithstanding any Franchises granted to Corporate Cities or Towns; howbeit, other mens liberties, being in the staple, (viz. to keep Fairs, Markets, and the like) are reserved.

XXXIX. Stat. 28 E. 3. 13. The Warranty of packing of Woolls shall be wholly taken away, unless it be by Covenant under Seal.

XL. An Enquest for the trial of an Action in the staple, or before other Justices, where an Alien is one of the parties, shall be per dimidietatem linguæ, if many Aliens may be found; but if not, by as many as are found, and the rest to be made up of Denizens, having no parties or Privies.

XLI. None shall forestall Merchandize coming towards the Realm, in pain to incur the penalties of the said third Article of the Statute Staple, &c.

XLII. No foreigners ship shall be compelled to arrive in England, nor to tarry in any place there, against the good will of the Master, Mariners, or Merchant, unto whom the ship, or the goods in her do belong.

belong, in pain to incurr a grievous forfeiture to the King.

XLIII. Stat. 36 E. 3. 7. Mayors and Conſtables of the Staples ſhall have only Conuſance of Debts, Covenants, Contracts, and all other Pleas touching Merchandize, and the ſurety thereof betwixt Merchants known; but proceſs of Felonies, and all other pleas (as within the ſtaple as without) ſhall be at the Common Law, as it was before the Statute-Staple: Howbeit, Merchant-Aliens have liberty to ſue for debts, treſpas, &c. before the Mayor, or at the Common Law at their election.

XLIV. The King and other Lords (within their Seigniories) ſhall enjoy their Franchiſes, as they did before the Satute-Staple; only the Mayor of the ſtaple ſhall take Recogniſance, as by the ſaid Statute is ordained.

XLV. Stat. 38 E. 3. Stat. 1. 7. The ſtaple ſhall be in *England*: And the ſtatute of the ſtaple, together with the Declarations, additions, and modifications thereof is confirmed.

XLVI. Stat. 12 R. 2. 16. The Staple ſhall be removed from *Middleborough* to *Calais*.

XLVII. Stat. 14 R. 2. 1. The Staple ſhall be removed from *Calais* to thoſe Towns in *England*, named in the Statute of the ſtaple, 27 E. 3. 1.

XLVIII. Every Merchant Alien, ſhall beſtow the value of half his Merchandize upon Commodities of this Realm.

XLIX. Stat. 14 R. 2. 3. Officers of the Staple ſhall be firſt ſworn to the King, and then to the Staple.

L. Stat. 14 R. 2. 4. No Denizen ſhall tranſport any Woolls, Woolfels, Leather, or Lead beyond Sea, in pain to forfeit the ſame.

LI. Stat. 15 R. 2. 9. The ſtatute of the ſtaple is confirmed.

LII. The Mayor of the ſtaple ſhall take no Recogniſance of debt contrary to the ſtatute, in pain to pay half the ſum Recogniſed to the King.

LIII. Stat. 10 H. 6. 1. Recogniſances taken before the Mayor of the ſtaple at *Calais*, ſhall be effectual in *England*.

Steel.

I. Stat. 2, 3 E. 6. 17. None ſhall forge or ſell any gads of Iron, like in faſhion to gads of Steel, in pain to forfeit 4 d. a gad, to be divided betwixt the King and the proſecuter.

Stil-yard.

Stil-yard.

I. Stat. 19 H. 7. 23. All Acts, Statutes, and Ordinances made in derogation of the Merchants of the *Stil-yard* (called Merchants of the House in *Almain*, and having the House in *London*, called *Guihalda Teutonicorum*) or of their Liberties granted them by the Kings of *England*, shall stand (as against them) void and repealed: Howbeit, this Act shall not be prejudicial to the City of *London*.

Surveyor.

I. *Extenta Maneriі*, 4 E. 1. Containing certain Articles to be inquired by Surveyors, concerning Building, Demesnes, Foreign Pasture, Parks, Demesne woods, Foreign woods, Herbage and Pannage, Mills, Fishing, Freeholders, Customary Tenants, Cottages and Curtilages, Perquisits of Courts, Patronages, Liberties, Customes, Services, &c. *See the Statutes at large.*

Suit of Court.

I. Marlb. 9. 52 H. 3. None enfeoffed by Deed, shall be distrained to do suit to his Lords Court, unless he be bound to do it by the form of his Deed, or he or his Ancestors have used to do it before the Kings first voyage into *Brittain*, being about 39 years and an half since.

II. None enfeoffed from the time of the Conquest shall do it unless his Ancestors have done it before the said Voyage.

III. Such as be at a suit-fine, shall be free from suit, paying their Fine.

IV. The Parcener having the eldest part, shall do suit for his or her fellows, and the rest shall be contributary.

V. Also one Joynt-tenant or Tenant in common, shall do the [illegible] and (if there be no mean to acquit him) the rest shall contribute.

VI. If a Lord distrain for suit not due, the parties (upon complaint) shall have an attachment against the Lord to appear in the Kings Court at a short day, when one only Essoin shall be allowed, and the distress shall be delivered to the Plaintiff, and there remain untill the Plea determined.

VII. If the Lord appear not at the day, the Sheriff shall have command to distrain him by his goods, and to have his body before the Justices at another day; when, if he appear not, the Plaintiff shall

ſhall go without day, and the diſtreſs ſhall remain with him, until the Lord have recovered; and in the mean time, no more diſtreſſes ſhall be made, ſaving to Lords their right, to recover their ſuits, when they will ſue for them: But here, if the Lord be convict, he ſhall allow the Plaintiff damages.

VIII. Like Juſtice ſhall be done to Lords againſt Tenants that withdraw their Suits, as to limiting of days, and awarding of diſtreſſes, and damages alſo, if they recover; but Lords ſhall not recover ſeiſin of ſuch Suits againſt their Tenants by default, as they were wont to do. And as concerning ſuits withdrawn before the time above-mentioned, let the Common Law run, as it was wont to do.

IX. Stat. 17 *Car.* 2. *cap.* 8. *Apud Oxon*, &c. For avoiding unneceſſary Suits and Delays, *Enacted*, That in all Actions perſonal and real, or mixt, the death of either party between the Verdict and the Judgment, ſhall not hereafter be alledged for Errour; ſo as ſuch Judgment be entred within two Terms after ſuch Verdict.

X. And where any Judgment after a Verdict ſhall be had, by or in the name of any Executor or Adminiſtrator; In ſuch caſe an Adminiſtrator *de bonis non*, may ſue forth a *Scire facias*, and take Execution upon ſuch Judgment. This Act to continue for five years; and from thence to the end of the next Seſſion of Parliament.

Swans.

I. Stat. 22 E. 4. 6. None (but the King's Son) ſhall have any mark or game of Swans of his own, or to his uſe, except he have Lands and Tenements of Freehold, worth five Marks *per annum*, beſides repriſes, in pain to have them ſeiſed by any having lands of that value, to be divided betwixt the King and the Seiſor.

Swearing and Curſing.

I. Stat. 21 *Jac.* 20. If any ſhall ſwear or curſe within the hearing of a Juſtice of Peace, or ſhall be convicted thereof by his own confeſſion, or the evidence of two witneſſes upon oath before the ſame Juſtice, he ſhall forfeit 12 *d.* to the uſe of the poor where the offence ſhall be committed, to be levied by the Conſtable, Church-wardens, and Overſeers of the Poor there (upon warrant from ſuch Juſtice) by diſtreſs and ſale of goods; and in default of diſtreſs, if the offendor be above 12 years old, he ſhall (upon warrant as aforeſaid) be ſet in the ſtocks 3 hours; but if under, then ſhall he be whipped by the Conſtable, or by the Parent or Maſter in the Conſtables preſence.

II. Here, if the Officer be ſued for the due execution of his Office, he may plead the general iſſue, and yet give ſpecial matter in evi-

III. This offence ſhall be complained of, and proved, as aforeſaid, within 20 days after it is committed: And this Act ſhall be read in the Church twice in the year, upon Sunday after Evening-Prayer.

Tail.

1. Weſt. 2. 1. 13 E. 1. WHere lands are given to a man, and the heirs of his body, or to husband and wife, and the heirs of their two bodies, upon condition, That if ſuch man, or ſuch husband and wife die without iſſue, that then the land ſhould revert to the Donor; or where land is given in frank-marriage, and ſuch a condition is conceived to be annexed or implied: In all ſuch caſes heretofore the Feoffees (after iſſue had) had power to Alien, and to diſ-inherit the iſſue, contrary to the mind of the Donors: Wherefore now it is ordained, That the Will of the giver (according to the form in the Deed of Gift, manifeſtly expreſſed) ſhall be from henceforth obſerved, ſo that they to whom the land was given under ſuch condition, ſhall have no power to alien the land ſo given, but it ſhall remain to their iſſue after their death, or ſhall revert to the giver, or his heirs, if iſſue fail; neither ſhall the ſecond husband of any ſuch woman from henceforth, have any thing of the land ſo given upon condition (after the death of his wife) by the Law of *England*, nor the iſſue of ſuch ſecond husband and wife ſhall ſucceed in the inheritance; but immediately after the death of the husband and wife, unto whom the land was given, it ſhall return unto the iſſue of the giver, or his heirs, as aforeſaid.

II. Hereupon a new Writ of *Formedon in deſcender* is granted in this form: *Præcipe A. quod juſte, &c. reddat* E. *Manerium de* [illegible] *ſuis pertinentiis, quod* C. *dedit tali viro, & tali mulieri & hæredibus de ipſis viro & mulitre exeuntibus*: or thus, *Quod* C. *dedit tali viro & liberum maritagium cum tali muliere & quod poſt mortem prædictorum viri & mulieris prædicto* B. *filio eorum viri & mulieris deſcendere debeat per formam donationis prædictæ, ut dicit, &c. vel. Quod* C. *dedit tali & hæredibus de corpore ſuo exeuntibus, & quod poſt mortem illius talis prædicto* B. *filio prædicti talis deſcendere debeat per formam, &c.*

III. This Act ſhall extend to gifts hereafter to be made, and not to gifts heretofore made, and a Fine hereafter to be levied upon ſuch lands, ſhall be void in Law: Neither ſhall the heir or reverſioner (albeit they be of full age, in *England*, or out of priſon) need to make their claim; *But this Law, concerning a Fine, is in ſome ſort altered by* 32 *H.* 8. 36. *which ſee in* Fines.

Taxes

Taxes, Tenths, Fifteens, Benevolences, Ship-money.

I. Stat. 25 E. 1. Certain Taxes then before taken shall not be taken in custome, but by the common assent of the Realm, except ancient Aids and Taxes.

II. Stat. *De Tallagio non concedendo, cap.* 1. *Temp. E.* 1. No tallage or aid by us or our heirs, shall be levied without the will and assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other free Commons of our Realm.

III. Stat. 1 E. 3. *Stat.* 2. *cap.* 6. Whereas after Taxes rated, levied, and paid into the Exchequer, Commissions of review issued out, by colour whereof the Justices thereto assigned, took Fines of the Taxers and others; it is ordained, That from henceforth the people shall be taxed after the old manner, and not otherwise.

IV. Stat. 11 R. 2 9. No imposition or charge shall be put upon Wooll, Leather, or Woolfels, other than the Custom and Subsidy granted to the King in this present Parliament; and if any be, the same shall be annulled, saving alwayes unto the King his ancient right.

V. Stat. 9 H. 4. 7. Goods shall be chargeable towards the payment of Tenths or Fifteenths, in the place where they were at the time the same were granted; howbeit, none shall be twice charged for his goods.

VI. Stat. 1 R. 3. 2. The Subjects of this Realm shall not be hereafter charged by any charge, called a Benevolence, or any such like exaction, or imposition whatsoever, and such impositions heretofore charged upon the Subject, shall not be hereafter drawn into president or example.

VII. Stat. 19 H. 7. 8. No Mayor, Sheriff, Baylif, or other Officer, shall distrain, take, or levy any custom, called *Scavage*, or *Scbevage* of any Denizen, for any Merchandize before truly customed, nor for the payment thereof, let or disturb any Merchant or other (being Denizens) to sell or utter the same Merchandize, in pain of 10 *l.* to be divided betwixt the King and the party grieved, or the prosecutor, which of them will sue first for it.

VIII. Howbeit, the Mayor and Commonalty of *London* may take so much money (of Denizens) for scavage, as shall be found to be their right by the King and his Council.

IX. Stat. 16, 17 *Car.* 14. An Act for declaring unlawful and void the late proceedings touching Ship-money, and for the vacating of all Records and Process concerning the same.

X. Stat. 16 and 17 Carol. cap. 1. A Royal Ayd, of 4675000 *l.* granted to the King to be raised in three years.

And see Title Excise *per tot.* And for Hearth-money, see Title King, numb. 8. See Title Benevolence.

Templers.

I. Stat. *De terris Templariorum*, 17 E. 2. Neither the King nor other Lords, shall have by escheat, the lands that were the *Templers*, (which Order was then dissolved) but those lands shall remain to the Prior and Brethren of the Order of the Hospital of Saint *Johns* of *Jerusalem*, which Order was then erected.

Tenure.

I. Magna Carta 10. None shall distrain for more service then is due.

II. Magna Carta 31. If a Baronie escheat to the King, the Tenants that hold of the same (not having other lands that hold of the King in chief) shall pay like relief, and do like services to the King after such escheat, as they paid or did to their former Lords, and not otherwise.

III. Magna Carta 32. No Freeman shall give or sell so much of his land, that of the residue, the Lord of the Fee may not have the services due to him.

IV. *Quia Emptores terrarum*, 18 E. 1. In all Feoffments to one and his heirs, the Feoffee shall hold his land of the chief Lord of the Fee by the same services that the Feoffor held before.

V. Here, if the Feoffment be made of parcel, he shall hold of the chief Lord *pro particula*, according to the quantity of the land, and the Feoffor shall be set free for that part.

VI. Howbeit, by such sales or purchases of lands, or any parcels thereof, such lands shall not come into *Mortmain*, contrary to the Statute thereof lately made: Neither shall this Act be understood of any other then lands in Fee-simple.

VII. Stat. 1 E. 3. Stat. 2. 12. From henceforth lands holden of the Kings in chief, and alienes without license, shall not be forfeited,

feited, but a reaſonable fine ſhall be taken (of ſuch lands ſo aliened) in *Chancery* by due Proceſs.

VIII. **Stat.** 1 E. 3. Stat. 2. 15. Lands holden of the King, as of ſome Honour ſhall not be taken into the Kings hands, as if they were holden of the King in chief, as of his Crown.

IX. **Stat.** 34 E. 3. 15. All Alienations, which the tenants of *H.* 3 and of other Kings before his time did make, are confirmed.

X. **Stat.** 7 E. 4. 5. Lands holden of a common perſon by Fealty, Rent, or other ſervice, coming to the Kings hands by attainder of Treaſon, and being afterwards granted by the King to another, ſhall be holden, as if ſuch attainder had not been.

XI. **Stat.** 35 H. 8. 14. The King (at his pleaſure) upon the grant of any Abby-lands under the value of 40 *s. per annum* (houſes and gardens, whereunto no lands appertain, only excepted) may reſerve either a Tenure by Knights-ſervice in *Capite*, or a Tenure in ſoccage, or free-burgage, and not in *Capite*, with the yearly Rent of the tenth part of the annual value of the ſaid lands, as they ſhall be expreſt in the ſaid Grant to be yearly worth: And of ſuch houſes alſo and gardens, whereunto no lands appertain, as aforſaid (being none of the Kings Houſes:) The like Tenures (at his pleaſure) and a tenth part of the yearly value, *whether they be under or over the yearly value of* 40 *s. per annum.*

XII. **Stat.** 7 *H.* 8. 20. All lands and other hereditaments, not above the yearly value of 40 *s.* and all Houſes, Orchards, Yards, and Gardens, whereunto no lands appertain (being none of the Kings houſes) granted by the King, ſince the 27th. year of his Reign, to any perſon or perſons, to hold of him by Fealty only, or by Fealty only, and not in *Capite*, or in Soccage or Free-burgage, or by Fealty only in Free and Common Soccage, and not in *Capite*, or by words to that effect: Or to hold by Fealty, or by Fealty only, and not in *Capite*, as of one of the Kings Honours or Manors, or the like, ſhall be adjudged and taken to be holden in Soccage or Burgage, and not in *Capite*.

XIII. The King, within five years after the 1. of *Novemb.* in the 37th. year of his Reign (at his pleaſure) upon grants of lands, or other hereditaments, not rated at above 40 *s. per annum* (houſes, gardens, &c. unto which no lands belong only excepted) and of ſuch houſes, gardens, &c. (being not the Kings) may reſerve either a Tenure by Knights-ſervice in *Capite*, or elſe a Tenure by Fealty, or in Soccage, or Burgage, and not in *Capite*: And all Tenures reſerved ſince the 24. of *April*, in the 25. year of the Kings Reign, and to be reſerved within the ſaid five years, by theſe words, *Et non in Capite*,

ſhall be taken to be Tenures in ſoccage or burgage, and not in *Capite*. And the heir of the Grantee of any ſuch lands, houſes, &c. may (after the death of his Anceſtor) enter into any of the ſame lands, houſes, &c. without any livery, or *oultre le main*, or other fine or fines whatſoever to be paid to the King for the ſame.

XIV. Stat. 1 E 6. 4. All ſuch Honors, Manors, Lands, Tenements, or Hereditaments, which are holden of the King by Kinghtſervice, in ſoccage, or otherwiſe, as of any Dukedom, Earldom, Barony, or other Seigniory (being come to the King by attainder, conviction, outlawry, diſſolution, or ſurrender) ſhall not be taken to be holden in *Capite*.

XV. This Act ſhall not prejudice the Kings profit or advantage, in reſpect of lands holden of him, as of his perſon in chief, or of his ancient poſſeſſions.

XVI. Neither ſhall this Act give advantage to any Tenant of lands, who hath heretofore ſued any ſpecial or general livery, or *Ouſtre le main*, out of the hands of the King or his progenitors, or ſhall confeſs by matter of record any Tenure in chief to the King.

Tiles.

I. Stat. 17 E. 4. 4. Tile earth ſhall be caſt up before the firſt of *November*, ſhired and turned before the firſt of *February*, and not made into Tile, before the firſt of *March*, and ſhall likewiſe be tryed and ſevered from ſtones, malne, marle and chalk.

II. A plain Tile ſhall contain in length ten inches and an half, in breadth ſix inches and a quarter, and in thickneſs half an inch half a quarter, at leaſt: A roof or croſs-tile, in length thirteen inches, and in thickneſs, as before, with convenient deepneſs, accordingly; a gutter and a corner-tile, in length, ten inches, and an half, with a convenient thickneſs, breadth and deepneſs.

III. If any ſhall ſell Tile otherwiſe made, he ſhall forfeit to the Buyer the double value thereof, to be recovered by Action of debt; and beſides, ſhall make fine and ranſom at the Kings will.

IV. Juſtices of Peace ſhall hear and determine theſe defaults and offences, as well at the ſuit of the King, as of the party grieved, and ſhall not ſet leſs fine upon an offendor againſt this Act, then after the rate of 5 s. for every thouſand of plain Tile, 6 s. 8 d. for every hundred of roof-tile, and 2 s. for every hundred of corner or gutter-tile.

V. The ſaid Juſtices have alſo authority to appoint ſearchers of Tile, who ſhall diligently execute that office, in pain to forfeit to the

the King for every default, 10 s. and ſhall have of every Tile-maker for ſuch ſearch, after the rate of 1 d. for every thouſand of plain Tile, *ob.* for every hundred of roof-tile: and *qu.* for every hundred of corner and gutter-tile: and ſhall make preſentment of all defaults found at the next Seſſions, which ſhall be as effectual in Law as a preſentment of twelve men.

VI. None ſhall put any Tile to ſale before ſuch ſearch be made, in pain to forfeit the ſame, and the Juſtices of Peace have alſo power to hear and determine in the defaults of the ſaid ſearchers.

Tindale, Rideſdale, and Examſhire.

I. **Stat.** 2 *H.* 5. 5. If any perſon of *Tindale*, or *Examſhire*, commit any murder, treaſon, manſlaughter, or robbery, or conſent thereunto, out of the ſaid Franchiſes, Proceſs ſhall be made againſt him until he be outlawed, and after outlawry returned, the Juſtices before whom it is ſo returned, ſhall make certificate thereof to the Miniſters of the ſaid Franchiſes, who ſhall take ſuch Felons, and ſeize their lands and tenements into the hands of the Lords of the ſame Franchiſes, as forfeit; but their lands and tenements out of thoſe Franchiſes, ſhall be ſeized to the uſe of the King and other Lords, (having Franchiſe there) as forfeit: ſaving to the King the Forfeitures of ſuch Offendors, which to him belong in right of his Crown.

II. **Stat.** 9 *H.* 5. 7. The Statute of 2 *H.* 5. 5. made againſt Offendors in *Tindale* and *Examſhire*, ſhall be extended againſt the like Offendors in *Rideſdale*.

III. **Stat.** 11 *H.* 7. 9. The North and South-Tindale, and all the lands within the ſame, ſhall be guildable and parcel of the County of *Northumberland*, and no Franchiſe ſhall be there, but all the Kings Writs and Officers ſhall be there obeyed.

IV. None ſhall demiſe any lands for years, life, or at will there, but the Leſſor ſhall before find two ſureties, having at leaſt 40 s. *per annum*, within the County of *Northumberland*, to be bound by Recognizance in 20 l. to the King, to make anſwer within 8 days warning, for all ſuch offences, as aforeſaid; And the Leſſor ſhall forfeit 10 s. for every Acre otherwiſe let, to the King and Juſtices, and ſuch Leaſe ſhall be void; The Juſtices of Peace alſo ſhall inquire of ſuch Recognizances forfeited; *See the Statute at large.*

Tithes.

* I. Stat. *Pro Clero*, 7. 18 E. 3. No *Scire facias* shall be awarded to warn a Clerk to answer for his Tithes before any secular Judge; saving to him his right.

II. Stat. 1 R. 2. 14. Where in an Action of goods carried away, the Defendant maketh his title for Tithes due to his Church, in such case the Plaintiffs general averment shall be taken without shewing specially how the same were his lay-chattel.

III. Stat. 5 *H.* 4. 11. The Farmers of Aliens shall pay Tithes to the Parsons and Vicars of the Parishes, where the lands in Farm do lie, notwithstanding they be seised into the Kings hands, or any prohibition made to the contrary.

IV. Stat. 27 *H.* 8. 20. If the Judge of an Ecclesiastical Court make complaint to two Justices of Peace (1. *qu.*) of any contumacy, or misdemeanour committed by a Defendant in any suit there depending for Tithes, the said Justices shall commit such Defendant to prison, there to remain, till he shall find sufficient surety to be bound (before them) by Recognisance, or otherwise, to give due obedience to the Process, Proceedings, Decrees, and Sentences of the said Court.

V. This Act shall not extend to any Citizen of *London*; neither shall it restrain any person from having their defence and remedy, according to the Ecclesiastical Laws; and the Laws and Statutes of this Kingdom.

VI. This Act shall not have longer force then that the King and such 32 persons as he shall appoint, shall have established the Ecclesiastical Laws for the Church of *England*, after which time Tithes shall be paid according to those Laws, and not otherwise.

* VII. Stat. 28 *H.* 8. 11. The year, in which the first-fruits shall be paid to the King, shall begin immediately after the avoidance or vacuation of the Benefice; and the Tithes and other profits of any such Benefice arising, during the time of the vacation, shall belong to the Presentee, or his Executors, towards payment of the first-fruits, which if any Archbishop, Bishop, or other hinder him to have, he shall forfeit the treble value thereof, to be divided betwixt the King and such Incumbent: Howbeit, such Archbishop, Bishop, Ordinary, or other Officer, shall be allowed the charge of the Cure, and of inning Tithes, and other profits.

VIII. Here also, the incumbent before his death may make and declare his will of the grain sown by him upon the Glebe-lands.

IX. But the ſucceſſor (upon a months warning) ſhall have the Parſonage-houſe, and the Glebe not ſowen.

X. If the Fruits of ſuch Spiritual Promotion received be not ſufficient to pay the Curate, the next incumbent ſhall do it, within 14. days after his induction.

☞ IX. *Stat.* 32 H. 8. 7. All perſons ſhall duly ſet forth, and pay all Tithes and Offerings according to the cuſtom of the places where they grow due.

XII. If Tithes or Offerings be not ſo ſet out and paid, the party grieved may convent him, that ſo detains them, before the Eccleſiaſtical Judge, who hath power to hear and determine the matter in queſtion ordinarily, or ſummarily, according to the Eccleſiaſtical Laws, and give ſentence thereupon accordingly.

XIII. Here, if any of the parties appeal, the Judge upon ſuch appeal, ſhall adjudge to the other party reaſonable coſts, and compell the Appellant to ſatisfie them by Proceſs, and cenſures Eccleſiaſtical, taking ſurety of the other party, to whom the coſts ſhall be adjudged to reſtore the coſts in caſe the principal cauſe paſs againſt him.

XIV. If any perſon after ſuch ſentence given, refuſe to pay the Tithes or ſums of money ſo adjudged, then two Juſtices of Peace (*i. Qu.*) ſhall (upon certificate thereof from the Judge) commit the party ſo refuſing, to the next Goal, there to remain, untill he have found ſureties to be bound by Recogniſance, (or otherwiſe before the ſame Judge) to the King, to perform the ſaid ſentence.

XV. Howbeit, none ſhall be thereby compelled to pay Tithes for lands or other hereditaments, which by the Laws and Statutes of this Realm are diſcharged, and not chargeable with the payment of Tithes: Neither ſhall it extend to the City of *London*, or the Suburbs thereof.

XVI. In all caſes, where any perſon, who hath any eſtate of inheritance, free-hold, term, right or intereſt, in any Parſonage, Vicarage or other Eccleſiaſtical profit, which now be, or hereafter ſhall be made temporal, and admitted to be, and abide in temporal hands, and to lay-uſes, by the Laws and Statutes of this Realm, ſhall happen to be hereafter outed, or otherwiſe wronged, from or concerning the ſame, he or ſhe ſhall have remedy for the ſame (in the Kings temporal Courts, or other temporal Court, as the caſe ſhall require) by Writs of *Præcipe quod reddat*. Aſſize of *Novel diſſeiſin*, *Mortdanceſtor*, *quod ſi deforciat*, Writs of Dower, and other Original Writs, as the caſe ſhall require, in like manner as for lands, tenements, and others hereditaments in ſuch manner to be demanded.

Alſo

XVII. Alſo Writs of Covenant, and other Writs for fines to be levied, and other aſſurances to be had and made of Parſonages, Vicarages, and other profits, called Spiritual, ſhall be deviſed and granted in Chancery, as have been uſed for fines and aſſurances of other lands. Likewiſe all Judgements given, and Fines levied for, and of ſuch Parſonages, *&c.* ſhall be of like effect, as Judgements given, and Fines levied of other lands.

XVIII. Howbeit, remedy for Tithes or Offerings ſhall be had in the Eccleſiaſtical Court (and not in temporal Courts) as above by this Act is provided.

XIX. **Stat.** 37 H. 8. 12. A confirmation of a Decree made by *Thomas*, Archbiſhop of *Canterbury*, and others (there named) for the payment of tithes in *London*; *See the Statute and Decree at large.*

*XX. **Stat.** 2, 3 E. 6. 13. The Statutes of 27 H. 8. 20. and 32 H. 8. 7. are confirmed: And every perſon ſhall without fraud, yield and pay all predial Tithes, as hath been uſed within 40 years before the making of this Act, or of right or cuſtom they ought to have been paid.

XXI. None ſhall take or carry away any tithes (paid, or that ought to have been paid, as aforeſaid) before he hath juſtly divided and ſet forth for the uſe thereof, the tenth part of the ſame; or otherwiſe agreed for the ſame tithes with the Parſon, Vicar, or other owner, proprietor, or farmer thereof, in pain to forfeit the treble value of the tithes ſo taken, or carried away.

XXII. At tithing time, it ſhall be lawful for the Owner (claiming ſuch predial tithes) his Deputy or ſervant, to ſee his ſaid tithes be truly ſet out and ſevered from the nine parts, and the ſame quietly to take and carry away.

XXIII. If any perſon carry away his Corn, Hay, or other predial tithes before they be ſet out, or willingly withdraw his tithes of the ſame, or of other things, whereof predial tithes ought to be paid, or do let ſuch owner to view, take, and carry away his tithes, as aforeſaid, by reaſon whereof they are loſt, impaired, or hurt; that then, upon due proof thereof before a ſpiritual Judge, the party ſo carrying away, withdrawing, letting, or ſtopping, ſhall pay the double value of the tithe ſo taken, loſt, withdrawn, or carried away, beſides coſts of ſuit, to be recovered before ſuch Eccleſiaſtical Judge, according to the Eccleſiaſtical Laws.

XXIV. Tithe of Cattel feeding in a Waſte or Common, where the Pariſh is not known, ſhall be paid by the owner of ſuch Cattel in the place where he dwells.

XXV. None ſhall be compelled to pay tithes for lands or other he-

hereditaments, which by the Laws and Statutes of the Realm, or by any priviledge or preſcription, are not chargeable therewith, or are diſcharged by any compoſition real.

XXVI. Barren, heath, and waſte ground, (other then ſuch as be diſcharged from tithe by Parliament) which hath heretofore paid no tithes, by reaſon of the barrenneſs thereof, but be now improved and converted to arable ground or meadow, ſhall at the end of ſeven years next after ſuch improvement pay tithes; Or if they yielded ſome ſmall tithe before the improvement, they ſhall only pay that ſame ſmall tithe during the firſt ſeven years, but afterwards ſhall pay the full tithe according to ſuch improvement.

XXVII. Every perſon exerciſing Merchandize, buying and ſelling, or any other art or faculty (being ſuch perſons, and in ſuch places as heretofore within 40 years, have uſed to pay perſonal tithes, or of right ought to have paid them, and not day-labourers) ſhall yearly, at or before *Eaſter*, pay for his perſonal tithes the tenth part of his clear gains, reaſonable charges and expences being deducted.

XXVIII. Handy-craft men, having uſed to pay tithes within 40 years, ſhall ſtill pay them.

XXIX. The Ordinary hath power to examine him that refuſeth to pay his perſonal tithes, by any lawful means, (otherwiſe than by his own Oath) concerning the payment of ſuch Tithes.

XXX. Offerings ſhall be paid (in the place where the party dwells) at ſuch four offering dayes, as heretofore within the ſpace of four years laſt paſt have been uſed for the payment thereof, but in default thereof, at *Eaſter*.

XXXI. Pariſhes that ſtand upon, or towards the Sea-coaſts, the commodities whereof conſiſt much in fiſhing, ſhall pay their tithes, as they have done within 40 years, and their offerings, as aforeſaid.

XXXII. This Act ſhall not extend to *London*, or *Canterbury*, or their Suburbs, nor to any other Towo or place where the Inhabitants have uſed to pay tithes by houſes.

XXXIII. Suits for ſubſtracting, or withdrawing of tithes, and other profits Spiritual, ſhall be proſecuted in the Eccleſiaſtical Court before the Eccleſiaſtical Judge, who hath power (no original or proclamation hanging) to excommunicate the party diſobeying the Sentence, and if he ſtand excommunicate 40 days, to certifie the excommunication (after publiſation thereof at the place or Pariſh where ſuch party dwels) into the *Chancery*, and thereupon to require Proceſs, *De excommunicato capiendo*, to be awarded againſt the perſon ſo excommunicate.

Before

XXXIV. Before a Prohibition ſhall be granted, the party Plaintiff therein, ſhall bring a true copy of the Libel exhibited into the Eccleſiaſtical Court concerning that ſuit, ſubſcribed with the hand of the ſame party, and thereunder ſhall be written the ſuggeſtion whereupon the party demanded ſuch prohibition, and the Libel thereordered, ſhall be delivered to the Juſtices of the Court where the prohibition is ſo demanded; and if ſuch ſuggeſtion be not proved to that Court by two ſufficient witneſſes within ſix months next after ſuch Prohibition granted, the other party ſhall (upon requeſt) have Conſultation, and double Coſts and Damages awarded by the ſaid Court, and may recover ſuch coſts and damages by action of debt.

XXXV. This Act ſhall not give power to any Eccleſiaſtical Judge to hold plea of any matter againſt the meaning of the Statute of *Weſtm. 2. cap. 5. Articuli cleri, circumſpecte agatis, ſylva cædua*, the Treatiſe *De regia prohibitione*, nor of 1 *E.* 3. 10. nor any of them, nor where the Kings Court ought of right to have Juriſdiction.

XXXVI. No Tithes of marriage-goods ſhall be paid in *Wales*, nor the Marches thereof.

Tobacco.

* Stat. 12 *Car.* 2. cap. 34. None ſhall ſow, ſet, or plant any Tobacco, within *England*, *Wales*, Iſles of *Guernſey* or *Jerſey*, Town of *Berwick* upon *Tweed*, or *Ireland*, upon penalty of forfeiture of the ſaid Tobacco, or 40 *s.* for every rod or pole ſo planted, one moiety whereof to the King, the other moiety to the Informer.

II. All Sheriffs and other Officers may deſtroy any Tobacco ſown or planted contrary to this Act, and any perſon reſiſting ſuch deſtruction, ſhall forfeit 5 *l.* to be divided and recovered as aforeſaid, and by diſtreſs of the offenders goods, and ſale thereof.

III. Proviſo, Not to extend to Tobacco planted in any Garden for Phyſick or Surgery, not exceeding one Pole in any one Garden.

IV. *Vide the Act*, Trade, *Numb.* XIV.

Tolls.

I. Weſt. 1. 30. 3 E. 1. If exceſſive Toll be taken in a Market Town, where it is the Kings Town, the Franchiſe ſhall be ſeiſed; but where it is anothers, if it be done by the Lords conſent, the Franchiſe ſhall be ſeiſed, as before; but if done by a Bailiff, or other Officer,

Officer, he ſhall reſtore as much more to the Plaintiff, as was ſo taken, and ſuffer 40 days impriſonment.

II. Citizens or Burgeſſes, who have the King or his Fathers grant for marriage to incloſe their Towns, if they take for murage more than they ought to do by their grant, and be thereof attainted, they ſhall loſe their grant, and be alſo grievouſly amerced to the King.

III. Stat. 18 E. 2. Ordinance of Bakers. How Toll ſhall be taken at a Mill.

Towns.

I. Stat. 27 H. 8. 1. A remedy for repair of decayed houſes and buildings upon the waſt ground in *Nottingham*, *Shrewsbury*, *Ludlow*, *Bridge-north*, *Quinborough*, *Northampton*, and *Glouceſter*. See the Statute at large.

II. Stat. 32 H. 8. 18. A remedy for repair of decayed houſes and building upon waſte ground in *York*, *Lincoln*, *Canterbury*, *Coventry*, *Bath*, *Chicheſter*, *Saliſbury*, *Wincheſter*, *Briſtol*, *Scarborough*, *Hereford*, *Colcheſter*, *Rocheſter*, *Portſmouth*, *Pool*, *Linne*, *Feverſham*, *Worceſter*, *Stafford*, *Buckingham*, *Pomfret*, *Grantham*, *Exeter*, *Ipſwich*, *Southampton*, Great *Yarmouth*, *Oxford*, Great *Wicombe*, *Gilford*, *Stratford*, *Kingſton upon Hull*, *Newcaſtle upon Tine*, *Beverley*, *Bedford*, *Leiceſter*, *Berwick*. See the Statute at large.

III. Stat. 32 H. 8. 19. A like Statute of re-edifying of *Shaftſbury*, *Shirborn*, *Birdport*, *Dorcheſter*, *Weymouth*, *Plimouth*, *Plimpton*, *Barnſtable*, *Teveſtock*, *Dartmouth*, *Lanceſton*, *Lyskerde*, *Leſtythiel*, *Bodmyn*, *Truro*, *Helſtone*, *Bridgewater*, *Tauaton*, *Somerton*, *Ilcheſter*, *Malden* in *Eſſex*, and *Warwick*. See the Statute at large.

IV. Stat. 33 H. 8. 36. A like Statute for *Canterbury*, *Rocheſter*, *Stafford*, Great *Grimsby*, *Cambridge*, *Derby*, *Gilford*, *Dunwich*; The Cinque-Ports with the members, *Lewes*, and *Buckingham*. See the Statute at large.

V. Stat. 35 H. 8. 4. A like Statute for *Shrewsbury*, *Cheſter*, *Ludlow*, *Haverford* Weſt, *Pembroke*, *Denby*, *Carmerdin*, *Montgomery*, *Cardiff*, *Swanneſſe*, *Cowbridge*, New *Rador*, *Preſtend*, *Brecknock*, *Monmouth*, *Malden* in *Eſſex*, *Abergavenny*, *Uſk*, *Carlion*, *Newport* in *Monmouthſhire*, *Lancaſter*, *Preſton*, *Liverpool*, and *Wygan*. See the Statute at large.

VI. Stat. 1. 2 P. M. 7. None dwelling in the Countrey out of Corporation or Market-Town, ſhall ſell or cauſe to be ſold by retail, any Woollen Cloth, Linnen Cloth, Haberdaſher Wares, Grocery wares, Mercery wares, in any ſuch Corporation, or Market Town,

ket-Town, or the Suburbs or Liberties thereof, (except in ... Fairs) in pain to forfeit for every time ſo offending, 6 s. 8 d. and ... whole wares ſo ſold, or offered to be ſold; The one moiety of ... forfeiture ſhall be to the King and Queen, and the other to the ... ſuer or proſecutor.

VII. Howbeit any perſon may ſell ſuch wares in the ſaid ... by whole-ſale in groſs, and by retail alſo, he being made free ... ſaid places, or it being Cloth of his own making, that is ſold.

VIII. The Liberties of the Univerſities are ſaved.

IX. Stat. 18 *El.* 21. It ſhall be lawful for any perſon free ... to buy and ſell in New *Woodſtock*, all Wools and Yarn, brought ... ther upon the uſual Markets or Fair days, and the ſame to uſe ... employ to their beſt profit, notwithſtanding any Statute, Law, ... Uſage to the contrary.

Trade.

I. Stat. 15 *Car.* 2. *Cap.* 5. *Stat.* 3. for encouragement ... Tillage:

When prices of Corn and Grin, *Winchester* meaſure, exceed not the Rates, at the Havens or places to be ſhipped at, *viz.*

Wheat,	48 s.
Barley or Malt,	28 s.
Buck Wheat,	28 s.
Oats,	13 s. 4 d.
Rye,	32 s.
Peaſe or Beans,	32 s.

} The Q... ter.

The ſame may be tranſported beyond the Sea from the ſaid H... vens or places of Merchandize.

II. When prices of Corn and Grain exceed not the ſaid Rates at the ſaid Havens, and ſhall be imported from beyond Sea, there ſhall be paid for Cuſtome and Poundage; *viz.* for

Wheat,	5. s. 4. d.
Rye	4 s.
Barley or Malt,	2 s. 8. d.
Buck wheat,	2 s.
Oats,	1 s. 4. d.
Peaſe or Beans,	4 s.

} The Q... ter.

III. When the ſame exceed not the prices at the ſaid places ... Markets in the ſaid firſt clauſe mentioned, All perſons not for... ing or ſelling the ſame in the Market (within 3 months after ... buying) may buy the ſame in open Market, and lay up, and ... the ſame.

IV. No Commodity of the growth, production or manufacture of *Europe*, shall be imported into any Island, Plantation, or place to the King belonging, or to belong, but what be laden and shipped in *England*, *Wales*, or *Berwick*, in *English* built shipping: And whereof the Master and 3 fourths of the Mariners at least are *English*: And which shall be directly thence carried to the said Islands, Plantations and places, and from no other place, upon pain of forfeiture of all such goods imported in any of them into any other place, by land or water: If by water, of the Ship importing them, with her Guns, Ammunition and Apparel, one third part whereof to the King, one third part to the Governor of such Island or place where the goods be imported; the other third part to him who shall seise or sue for the same, in any of the Kings Courts in such Islands or places where the offence is committed, or in any Court of Record in *England*.

V. Provided, It shall be lawfull to ship and lade in such Ships so navigated as aforesaid, in any part of *Europe*, salt for the Fisheries of *Newfound-land*, and *New-England*, and in the *Madera's* Wines of the growth thereof: And in the *Western* Islands or *Azores*, Wines of their growth, and to Ship-servants or horses in *Scotland* or *Ireland*; And in *Scotland* all sorts of Victuails of the growth or production of *Scotland*; and in *Ireland* all such victuals of their growth or production, and to transport the same into any the said Lands, Islands, Plantations or places.

VI. Every person importing by Land any Goods or Commodities into the said Islands, Plantations or places, shall deliver to the Governor thereof, or such as by him apppointed within 24 hours after Importation, their names and sirnames, and a true Inventory of all such Goods; and no such Ship shall lade or unlade any such goods, untill the Master have made known to the said Governor or other by him appointed, the arrival of the Ship, her name, the Masters name, and shewed she is an *English* Ship; or by Certificate, that she is belonging to *England*, *Wales*, or *Berwick*, Navigated as aforesaid, and a perfect Inventory of her Lading, and the place where they were taken in, upon pain of forfeiture as aforesaid.

VII. All Governors of such Islands, Plantations and places to be put to an oath before such persons as the King shall appoint, to do their utmost to see this Act performed: And for offending herein, to be put out of their places, made incapable of any other Government in the said places, and forfeit 1000 *l.* one moiety to the King, the other moiety to such person as shall inform and sue for the same, as aforesaid.

VIII. If any Officer of the Customs in *England*, *Wales*, or *Berwick*

wick upon Tweed, shall give Warrant, or suffer any Sugar, Tobacco, Ginger, Cotton, Wool, Indico, Speckle Wood or *Jamaica* Wood, Fustick or other dying wood, of the growth of the Lands or Plantations, to be carried into any other Country or place, unless they have been unladed in *England*, *Wales*, or *Berwick*, such Officer shall forfeit his place and value of the Goods, one moiety to the King, the other moiety to him that shall sue for the same, as aforesaid.

IX. It shall be lawful out of any Port of *England*, *Wales*, or *Berwick*, to ship and lade Sea-coals for any part of them, paying for the Chaldron, *Newcastle* measure, only 1 s. 8 d. and *London* measure, 1 s. and no more, in full of all Custom and Poundage for the same. Provided, the same be shipped, and navigated as aforesaid, and security given to the Officers of the Custome of the Port where they are shipped, for landing them in the said Plantations, and not elsewhere.

X. It shall be lawful for all persons to export out of any the Ports of *England*, *Wales*, or *Berwick*, in which there is a Customer and Collector, all sorts of Foreign Coyn, Bullion of Gold or Silver, first entring the same in the Custom-house, without paying any Custom or Fee for the same.

XI. For every Head of Cattle (except of the growth of *Scotland*) imported into *England*, *Wales*, or *Berwick*, after the 1 of *July*, in any year. And for every head of great Cattle of the breed of *Scotland* that be brought into *England*, *Wales*, or *Berwick*, after the 24th of *August*, and before the 20th of *December*, in any year, there shall be paid to the King and his heirs 20 s. and 10 s. to him that shall inform or seize the same, and 10 s. to the Poor of the Parish where such seizure or information shall be made: And to the King for every Sheep imported into *England*, *Wales*, or *Berwick*, after the 1 of *Aug.* and before the 20th of *Decemb.* in any year, 10 s. to be recovered and levied as aforesaid. This Act as to great Cattle and Sheep not to take place till the first of *Aug.* 1664. nor to continue longer than the first Session of the next Parliament.

XII. No Fresh-Herring, Fresh Cod, or Haddock, Coalfish, Gulfish, shall be imported into *England*, *Wales*, or *Berwick*, but in *English* built Ships, and having Certificate thereof as aforesaid, and which have been taken in Ships Navigated as aforesaid, and not bought of strangers, or strangers Bottoms, upon pain of forfeiture of the same, and the Ships or Vessels, one moiety to the King, the other moiety to the Informer, to be recovered as aforesaid.

XIII. For salted or dryed Fish imported in any other Ship or

Vessel

Veſſel then *Engliſh*, as aforeſaid, there ſhall be paid for Cuſtome, viz. Codfiſh the barrel, 5 s. Codfiſh the Laſt, containing 12 barrels, 3 l. Codfiſh the Hundred, containing 120, 10 s. Coalfiſh the hundred 5 s. Lings the hundred, 10s. White Herrings the Laſt, 12 barrels, 1 l. 16s. Haddocks the barrel 2 s. Gulfiſh the barrel, 2 s.

XIV. Every perſon that ſhall plant Tobacco in *England*, *Wales*, *Guernſey*, *Jerſey* Iſlands, and *Berwick* upon *Tweed*, ſhall forfeit 10 l. for every Pole of ground ſo planted over and above the penalty in the former Act of planting Tobacco; one third part to the King, one third part to the Poor of the Pariſh where the offence is, and one third part to him that ſhall ſue for the ſame in any the Kings Courts of Record at *Weſtminſter*. And if any perſon reſiſt execution of the ſaid Act, he ſhall be committed to the Goal, till he have entred Recognizance with Sureties of 20 l. not to commit the like offence again. Proviſo, for Gardens of the Univerſities, and Surgery and Phyſick, the quantity not exceeding half a Pole.

XV. It ſhall be lawful to import Cattel of the breed of the *Iſle of Man*, not exceeding 600 in one year; and Corn of the growth of that Iſland, out of it, into *England*, ſo as the Cattel be landed at *Cheſter*, *Leverpool*, or *Wire-water*.

Treaſon.

I. Stat. *De proditionibus*, 25 E. 3. Stat. 5. cap. 2. To compaſs or imagine the death of the King, Queen, or Prince; to violate the Queen, the Kings eldeſt daughter unmarried, or the Princes wife; to levy War againſt the King, or to adhere to his enemies within the Realm, giving them aid or comfort within the Realm, or elſewhere: To counterfeit the Kings Great Seal, or Privy Seal, or his money; to bring falſe money into this Realm, counterfeit according to the money of *England*, (knowing the ſaid money to be falſe) Merchandiſe or make payment with it: to kill the Chancellor, Treaſurer, or any Juſtice of either Bench, Juſtices in *Eyre*, Juſtices of Aſſize, or any other Juſtices aſſigned to hear and determin, being in their places doing their Offices, is by this Statute declared to be high Treaſon: And in the ſaid caſes, that ought to be adjudged Treaſon, which extends to the King, or his Royal Majeſty.

II. Forfeitures of Eſcheats pertain to the King, of whomſoever the Lands are holden.

III. There is another ſort of Treaſon (*viz.* Petty Treaſon) when a Servant kills his Maſter, a Wife her Husband, a Secular or Regular

his Prelate to whom he oweth faith and obedience, in such cases the Escheat pertains to every Lord of his own Fee.

IV. If any other case, supposed Treason, shall happen before any Justices, they shall defer the judgment thereof, untill the case may be declared before the King and his Parliament, whether it ought to be adjudged Treason or Felony.

V. To ride armed with men of arms, with purpose to kill, rob, or imprison another, untill he hath made fine and ransome, shall not be adjudged Treason, but Felony or Trespas, as hath been heretofore used: And if any such attempt hath been heretofore adjudged Treason, and thereupon Lands seised into the Kings hands withheld of other Lords, they shall be restored to such Lords, saving to the King his year and waste.

VI. Stat. 1 H. 4.10. Treason shall not be adjudged otherwise then as it was ordained by 25 E. 3.

VII. Stat. 26 H.8.13. *Pars inde*, Treason committed out of this Realm, shall be enquired of in such County, and before such persons as the King shall appoint by Commission, and upon every Indictment and presentment so found and certified into the Kings Bench, like Process and other circumstance shall be there had, and made against the offender, as if such Treason had been found to have been committed within the Realm: Also all Process of Outlawry within the Realm against such offendor (being resiant out of the Realm at the time of the Outlawry pronounced) shall be as good in Law, as if such offendor had been resident within the Realm at the time of the Process awarded, and such Outlawry pronounced.

VIII. Every such offendor being lawfully convicted by presentment, confession, verdict, or process of Outlawry, shall forfeit to the King all such Lands, Tenements, and Hereditaments, which he shall have of any estate of inheritance in use or possession, by any Right, Title, or Means, within the Kings Dominions at the time of such Treason committed, or after.

IX. The Rights, Titles Interests, Possessions, Leases, Rents, Offices, and other profits of all persons, their heirs and successors (except of the offendors, or others claiming to their use) are saved.

X. Stat. 33 H.8.20. If any person commit High Treason who he is of perfect memory, and after accusation, examination, and confession thereof before any of the Kings Council, shall fall into Lunacy, he shall be enquired of in any County, where the King by his Commission shall assign; and if he be there indicted, he shall be there arraigned without his personal presence, and if he be found guilty, he shall suffer death, and forfeit, as if he had be-

of perfect memory. *But this is altered by* 1. 2. P.M. 20. *which ſee after.*

XI. If any perſon be attainted of High Treaſon by the Common Law, or Statutes of this Realm, ſuch attainder by the Common Law ſhall be of as good force, as if it had been done by Parliament, and the King ſhall have as much benefit thereby, *viz.* of lands, tenements, hereditaments, goods, chattells, uſes, rights, entries, conditions, poſſeſſions, reverſions, remainders, and all other things of ſuch offendor, and ſhall be as well adjudged in actual and real poſſeſſion of all ſuch things of the offendor, which the King ought lawfully to have or which the offendor ought or might lawfully loſe or forfeit, as if he had been attainted by the Parliament, without any Office or Inquiſition to be found of the ſame.

XII. The right, &c. of all others (except of the offenders, &c.) is ſaved.

XIII. **Stat.** 35 H. 8. 2. All Treaſons, miſpriſions of Treaſon, and concealments of Treaſon, committed out of the Realm, ſhall be enquired, heard, and determined before the Juſtices of the Kings Bench, by lawful men of the County, where the Bench ſhall then ſit, or before Commiſſioners in ſuch County, as the King ſhall aſſign by lawful men of the ſame County, in like manner, as if the offence had been committed in the ſame Shire where it is ſo enquired, heard, and determined: But here a Peer ſhall be tryed by his Peers.

XIV. **Stat.** 1 E. 6. 12. All former Statutes which make any offences Treaſon, or petty Treaſon, are repealed, ſave only what is ſo made by 25 E. 3. Stat. 5. cap. 2. and by this Statute.

XV. It ſhall be High Treaſon to affirm by writing, printing, or Deed, that the King is not Supream Head of the Church of *England and Ireland*, or that any other is: *But this clauſe is repealed by* 1. 2. P.M. 8.

XVI. It ſhall be High Treaſon to interrupt any perſon to whom the Crown is limited, by 35 H. 8. 1. *But this is alſo expreſſly repealed by the general words of* 1. M. Seſſ. 1.

XVII. If any compaſs to depoſe the King, or do affirm that he ought not to be King; for the firſt offence, he ſhall forfeit his goods, and ſuffer impriſonment at the Kings will; for the ſecond, he ſhall loſe the iſſues of his lands, during life, and ſuffer perpetual impriſonment and for the third, ſhall be guilty of High Treaſon: *But ſomuch hereof as concerns Treaſon, petty Treaſon, or miſpriſion of Treaſon, is alſo repealed by the general words of* 1. M. Seſſ. 1.

XVIII. Stat. 5.6 H.11. It is High Treaſon to affirm by writing, printing, painting, carving, or graving, that the King is an Heretick, Schiſmatick, Tyrant, Infidel, or Uſurper of the Crown, or rebelliouſly to detain from the King any of his Caſtles, Holds, ſhips, Ordinances, Artillery, or other Fortifications of War: *But this part of this* Statute *is repealed expreſly by* 1 M. Seſſ. 1.

XIX. Treaſon committed out of the Realm, ſhall be enquired of in ſuch County, and before ſuch perſons, as the King ſhall appoint by Commiſſion, and upon every Indictment and Preſentment ſo found and certified into the Kings Bench; like proceſs and other circumſtances ſhall be there had, and made againſt the offender, as if ſuch Treaſon had been found to have been committed within the Realm: Alſo all Proceſs of Outlawry within the Realm againſt ſuch offender (being reſiant out of the Realm at the time of the Outlawry pronounced) ſhall be as good in Law, as if ſuch offendor had been reſident within the Realm at the time of the Proceſs awarded, and ſuch Outlawry pronounced.

XX. If the party within one year after the Outlawry or Judgement given thereupon, yield himſelf to the Chief Juſtice of *England*, and offer to traverſe the Indictment or Appeal, whereupon he was ſo outlawed, he ſhall be admitted to ſuch traverſe, and being thereupon acquit, ſhall be diſcharged of the Outlawry, and all forfeiture by reaſon thereof.

XXI. The offendor in Treaſon, being lawfully convict thereof, ſhall forfeit to the King all ſuch lands, tenements, and hereditaments, as he ſhall have of an Eſtate of Inheritance, in his own right, in uſe or poſſeſſion, in the Kings Dominions, at the time of the Treaſon committed, or at any time after.

XXII. Concealment of Treaſon ſhall be deemed miſpriſion of Treaſon. *But quære, whether this clauſe be not alſo repealed by the general words of* 1 M. 1.

XXIII. None ſhall be attainted of Treaſon, but by the teſtimony of two lawful accuſers, who ſhall be brought in perſon before the party accuſed, unleſs he will willingly without violence confeſs the offence.

XXIV. Here the right of all other is ſaved.

XXV. The wife ſhall loſe her Dower, where the husband is attainted of Treaſon, ſo long as the attainder continues in force.

XXVI. Stat. 1 *M. Seſſ.* 1. No Act or offence ſhall be adjudged Treaſon, petty Treaſon, or miſpriſion of Treaſon, but ſuch as be declared to be ſo by 25 E. 3. Stat. 5, cap. 2.

Stat.

XXVII. Stat. 1 *M. Seſſ.* 2. 6. To counterfeit any foreign coin (made currant in this Realm) or the Queens Signet Manuall, privy Signet, or Privy Seal, ſhall be adjudged High Treaſon: and all counſellors, procurers and abettors thereunto, ſhall alſo be deemed Traytors.

XXVIII. Stat. 1. 2 *P. M.* 10. Tryal of Treaſon ſhall be according to the courſe of the Common Law, and not otherwiſe.

XXIX. The right of all others is ſaved.

XXX. Concealment of High Treaſon ſhall be adjudged miſpriſion of Treaſon, and ſhall incur puniſhment accordingly.

XXXI. Alſo in caſes of High Treaſon, concerning coin, and for counterfeiting the King or Queens Signet, privy Seal, Great Seal, or Signet Manual, ſuch tryal ſhall be obſerved, as heretofore hath been uſed by the Common Law.

XXXII. Stat. 1. 2. *P. M.* 11. If any perſon bring from beyond Sea into this Realm, or any of the Dominions thereof, any falſe and counterfeit coin of money, (allowed to be currant in this Realm) knowing it to be ſo, with intent to utter the ſame here by Merchandizing, or otherwiſe, both he and his acceſſaries ſhall be adjudged offendors in High Treaſon; and ſhall be adjudged and convicted, or attainted for the ſame by ſuch evidence, and in ſuch form, as hath been uſed within this Realm before the firſt of *E. 6.*

XXXIII. Stat. 5 *El.* 11. Clipping, waſhing, rounding, or filing, (for lucre ſake) any of the proper moneyes, or Coins of this Realm, or the Dominions thereof, or of foreign Moneys or Coins, (allowed to be currant here) ſhall be adjudged High Treaſon; and the offendor herein, together with his acceſſaries, being thereof attainted, ſhall ſuffer death, forfeit all his goods, and his lands alſo, during life.

XXXIV. They who have any grant of forfeitures of lands, or goods, within any Liberty or Precinct, ſhall in this caſe alſo enjoy them.

XXXV. Theſe offences make no corruption of bloud, nor forfeiture of Dower: And here Tryal of a Peer ſhall be by his Peers.

XXXVI. Stat. 18 *El.* 1. If any perſon (ſhall for lucre ſake) by any ways or means whatſoever, impair, diminiſh, falſify, ſcale or lighten the Coins of theſe Dominions, or the Coins of any other Realms (allowed to be currant here, during the time they are ſo allowed) it ſhall be adjudged Treaſon, and the offendors therein, their Counſellors, Conſentors, and Aiders, ſhall ſuffer

death, forfeit all their goods and chattels, and their lands alſo, during life.

XXXVII. Howbeit, this offence ſhall cauſe no corruption of blood, or forfeiture of Dower, and the tryal of a Peer ſhall be by his Peers.

XXXVIII. Stat. 29 El. 1. No Record of attainder of Treaſon ſhall be reverſed, where the party attainted is executed for the ſame offence.

XXXIX. Stat. 13 Car. 2. cap. 1. It ſhall be Treaſon in any perſons whatſoever, during the Kings life, within the Realm, or without, to compaſs, imagine, invent, deviſe, or intend death or deſtruction, or any bodily harm tending to death or deſtruction, maim, or wounding, impriſonment, or reſtraint of the perſon of the King, or to deprive or depoſe him from the ſtile, honour, or Kingly name of the Imperial Crown of this Realm, or of any other his Dominions or Countries, or to levy War againſt him, within or without the Realm, or to move or ſtir any forreigner or ſtranger with force to invade this Realm, or any other the Kings Dominions or Countreyes, being under his obeyſance: And ſuch Compaſſings, Imaginations, Inventions, Devices, or Intentions, that any of them ſhall expreſs, utter, or declare, by any Printing, Writing, Preaching, or Malitious, adviſed ſpeaking, being legally convicted thereof upon the oaths of two lawful and credible Witneſſes upon Tryal, or otherwiſe convicted or attainted by due courſe of Law; Every ſuch perſon ſhall be adjudged a Traytor, and ſuffer pains of death, and forfeit as in caſes of Treaſon.

Vide Title *King*, Numb. VII.

XL. Stat. 12 Car. 2. cap. 30. *Oliver Cromwell* deceaſed, *Henry Ireton* deceaſed, *John Bradſhaw* deceaſed, and others attainted of High Treaſon for the horrid Murther of King *Charles* the firſt. *Vide* the Act at large.

XLI. Stat. 13 Car 2. cap. 15. The pains, Penalties and forfeitures impoſed upon the Eſtates and perſons of certain notorious offendors, excepted out of the Act of Free and General Pardon, Indempnity, and Oblivion.

XLII. Stat. 17 *Car. 2. Cap. 5. apud Oxon.* An Act for Attainting *Thomas Dolman*, *Joſeph Bampfield*, and *Thomas Scott*, of High Treaſon, if they render not themſelves to ſome of his Majeſties Juſtices of the Peace for the County wherein they ſhall firſt arrive at or before the firſt of *February* next, and abide their legall Tryal.

XLIII.

XLIII. And for attainting every perſon that is or ſhall be beyond the Seas during the War with the United Provinces, that being required by his Majeſties Proclamation ſhall not return and render themſelves accordingly, ſo that the time prefixed by ſuch Proclamation, be not leſs then three Calender months from the date thereof.

XLIV. And all his Majeſties Subjects who after the firſt of *February* next, ſhall during the ſaid War ſerve the ſaid States either by Sea or Land as a Souldier, or Marriner or Seaman on this ſide the *Straights*, or after the firſt of *May*, 1666. within the *Straights*, or after the firſt of *Auguſt* 1666. in *Africa*, or *America*, or any where beyond the *Straights*, on this ſide the Æquinoctial; or after the firſt of *February* 1666. in the *Eaſt-Indies*, or in any part beyond the Æquinoctial, ſhall be attainted of High Treaſon.

Treſpas.

I. **The Statute of Glocester.** Cap. 8. 6 E. 1. Sheriffs ſhall plead pleas of Treſpaſs in their Counties as they have been accuſtomed to be pleaded.

II. None ſhall have Writs of Treſpas before Juſtices, unleſs he ſwear by his faith, that the goods taken away were worth 40 s. at leaſt.

III. If he complain of beating, he ſhall anſwer by his faith, that his plaint is true; but for maims and wounds, a man ſhall have his Writ, as before hath been uſed.

IV. The Defendants in ſuch pleas, may make their Attorneyes, where Appeal lyeth not; ſo that if they be attainted of Treſpas, being abſent, the Sheriffs ſhall be commanded to take them, and they ſhall incur like pain, as they ſhould have had, if they had been preſent at the Judgement given.

V. If the Plaintiffs in ſuch Treſpaſſes cauſe themſelves to be Eſſoined after the firſt appearance, day ſhall be given them, till the comming of the Juſtices, and the Defendants in the mean time, ſhall be in peace.

VI. In ſuch pleas and others, where attachments and diſtreſſes do lie, if the Defendant Eſſoin himſelf of the Kings ſervice, and do not bring his warrant at the day given by the Eſſoin, he ſhall recompence the Plaintiffs damages for his Journey, 20 s. or more, at the diſcretion of the Juſtices, and beſides ſhall be grievouſly amerced to the King.

VII. Stat. 43 El. 7. If any ſhall be convicted by his own confeſſion, or by the Teſtimony of one Witneſs upon Oath, before one Juſtice of Peace, or Head-Officer, to have unlawfully cut and taken away any grain growing, robbed any Orchard or Garden, digged up, or taken away any Fruit-Trees, broken any hedges, pales, or other fences, cut or ſpoiled any woods or under-woods, ſtanding and growing, or the like, or to have been acceſſary thereunto, ſhall for the firſt offence, pay unto the party grieved, ſuch damages, and within ſuch time, as by the ſaid Juſtice, or Head-Officer, ſhall be appointed: And in caſe the party offending, ſhall not by the ſaid Juſtice or Officer, be thought able to diſcharge the ſaid damages, or ſhall not diſcharge them according to the Order, then ſhall the ſaid offendor be by them, or either of them (reſpectively) committed to the Conſtable, or other Officer of the place where the offence was committed, or the party apprehended, to be whipped; and for every other offence committed afterwards, and proved; as aforeſaid, the party offending ſhall receive the like puniſhment of whipping.

VIII. The Conſtable, or other inferiour Officer that herein refuſeth or neglecteth to do his duty, ſhall by any ſuch Juſtice of Peace or Head-Officer, be committed to Priſon without bail, till he whip, or cauſe to be whipped the party offending, as is above limited.

IX. No Juſtice of Peace ſhall execute this Statute for offences done to himſelf, unleſs he be aſſociated with one or more Juſtices of Peace, whom the offence doth not concern.

X. Stat. 21 *Jac.* 16. *Pars inde.* In all Actions of Treſpas, *Quare clauſum fregit*, wherein the Defendant, or Defendants, ſhall diſclaim in his or their Plea, to make any Title to the land, in which the treſpaſs is by the declaration ſuppoſed to be done, and the treſpaſs be by negligence or unvoluntary, the Defendant or Defendants ſhall be admitted to plead a diſclaimer, and that the Treſpas was done by negligence or unvoluntary, and a tender or offer of ſufficient amends for ſuch Treſpas before the Action brought, whereupon, or upon ſome of which, the Plaintiff, or Plaintiffs ſhall be forced to joyn iſſue, and if the ſaid iſſue be found for the Defendant, or Defendants, or the Plaintiff or Plaintiffs be non-ſuited, ſuch Plaintiff or Plaintiffs ſhall be clearly barred from the ſaid Action or Actions, and all other ſuits concerning the ſame.

Triall.

Triall.

I Stat. 9 E. 3. *Stat.* 1. *cap.* 4. Whereas many be delayed in their Actions, for that the Tenants or Defendants plead in Barr a releaſe, quit-claim, or other ſpecial Deed, made within a Franchiſe, where the Kings Writ runneth not; It is enacted, That when ſuch Deeds are ſhewed forth in Bar of an Action, and bear date within a Franchiſe; Albeit the witneſſes named in the Deed of the Franchiſe, yet if the Deed be denied, Proceſs ſhall be awarded in the Court where the Plea depends, to cauſe the Country and the witneſſes to appear; and if the witneſſes come not at the great diſtreſſes returned, notwithſtanding ſuch abſence of the witneſſes, the Juſtices ſhall not let to proceed to the taking of the Enqueſt, as well as if ſuch Deed did bear date within the County, where the Plea was moved, and that the witneſſes were of the ſame County.

II. Stat. 8 *H.* 6. 29. The Statute of 28 E. 3. 13. (*which ſee in Staple*) ordering that an Enqueſt ſhall be, *De medietate linguæ*, where an Alien is party, is confirmed: And it is by this Act further declared, that the Statute of 2 *H.* 5. 3. (*which ſee in* Jurors) doth onely extend to Enqueſts taken between Denizen and Denizen; ſo that an Alien may be put upon Enqueſts according to the Statute of 28 *E.* 3. albeit he have not lands of the yearly value of 40 *l.*

III. Stat. 20 H. 6. 9. Trial of Dutcheſſes, Counteſſes, and Baroneſſes, for Treaſon or Felony, ſhall be as of Noble-men, Peers of the Realm, and not otherwiſe, notwithſtanding the Statute of *Magna Carta*, *cap.* 9. which mentioneth men only to be tried by their Peers. *See that Chapter of Mag. Cart. in* Accuſation.

IV. Stat. 4 H. 8. 2. *Pars inde.* Where a Murderer or Felon (to delay his arraignment) pleads that he was taken out of a priviledged place, in a foreign County; and if it be alledged by the Kings Attorney (or ſome other in the Kings behalf) that he was taken in the County, where he is ſo to be arraigned, they ſhall be tryed by the Enqueſt, who are to try the Murder or Felony, and before the ſame Juſtices; and if it be found, that he was taken in the ſame County, ſuch forreign plea ſhall do him no advantage or benefit.

V. Stat.

V. Stat. 27 H.8.4. Murder and Robberies committed by Pyrats upon the Sea, or in any other place where the Admiral pretends jurisdiction, shall be inquired into, tryed, heard, and determined in such Counties and places within the Realm, as shall be limited by the Kings Commission, in like manner, as if such offences were done at Land. And such Commissions (being under the Great Seal) shall be directed to the Lord Admiral, his Livtenant, or Deputy, and to three or four such others, as the Lord Chancellor shall name.

VI. The said Commissioners, or three of them, have power to inquire of such offences, by twelve lawful men of the County so limited in their Commission, as if such offences were done at Land within the same County, and every Indictment so found and presented, shall be good in Law; And such Order, Process, Judgment, and Execution, shall be used, had, done, and made thereupon, as against offendors for Murder, or Felony done at Land: Also the trial of such offences (if they be denied) shall be had by twelve men of the County, limited in the said Commission (as aforesaid) and no challenge shall be had for the Hundred: And such as shall be convict of such offences, shall suffer death without benefit of Clergy, and forfeit lands and goods, as in case of Felonies and Murders done at Land.

VII. This Act shall not prejudice any person or persons (urged by necessity for taking Victual, Cables, Ropes, Anchors, or Sails out of another Ship, that may spare them, so as they either pay ready money, or money-worth for them, or give a Bill for the payment thereof, *viz.* if they be taken on this side the *Straights of Morocco*, within four months; but if beyond, within twelve months.

VIII. When any such Commission shall be sent to any place within the Jurisdiction of the Cinque Ports it shall be directed to the Warden of the said Ports, or his Deputy, with three or four such other persons, as the Lord Chancellor shall name: And the Inquisition and Tryal of such offences there shall be made and had by the Inhabitants of the said Ports, and the members of the same.

IX. Stat. 28 H.8.15. This Act is *verbatim* the same with 27 H.8.4. save only that it extends as well to Treasons and all other capital offences committed within the Admirals Jurisdiction, as unto Felonies, Roberies, and Murders there done.

Stat.

X. Stat. 33 H.8. 12. The manner of the Trial, and puniſhment of Murder and Blood-ſhed within the Kings Court. *See the Statute at large.*

XI. Stat. 33 H.8. 23. If any perſon, being examined before the Kings Council, or any three of them, upon any Treaſon, miſpriſion of treaſon, or murder, doth confeſs the ſame, or by the ſaid Council is vehemently ſuſpected to be guilty thereof, in this caſe the King ſhall direct a Commiſſion of *Oyer* and *Terminer* to ſuch perſons, and into ſuch County or place as he pleaſeth, for the ſpeedy tryal, conviction, or deliverance of ſuch offendors; And here, no challenge for the County or Hundred ſhall be allowed, but a Juror may be challenged, if he have not Freehold worth 40*s. per annum*, in this caſe alſo trial of a Peer ſhall be by his Peers.

XII. Stat. 2.3. E.6.24. Where any is felonioufly ſtricken or poyſoned in one County, and dyeth of ſuch ſtroke or poyſoning in another County, an Indictment thereof found by Jurors of the County where he dies, ſhall be as good in Law, as if the ſtroke or poyſoning had been in the County where the party ſo dyeth: And Juſtices of Goal-delivery, and *Oyer* and *Terminer* in the County where ſuch Indictment is taken, as alſo the Juſtices of the Kings Bench, before whom ſuch Indictment is removed, may proceed thereupon in all points, as if ſuch ſtroke or poyſoning, and death, had all happened in one and the ſame County.

XIII. Alſo an Appeal may be commenced, taken, and ſued in the County where the party ſo ſtricken, or poyſoned ſhall die, as well againſt the principal as acceſſary, in whatſoever County ſuch acceſſary be guilty thereof; And the Juſtices before whom ſuch Appeal is proſecuted (within the year and day after offence committed) ſhall proceed againſt every ſuch acceſſary in the County, where ſuch appeals is ſo taken in like manner, as if the offence of ſuch acceſſary had been committed in the ſame County, as well concerning trial by Jurors, upon the offendors plea of not guilty, as otherwiſe.

XIV. Where any Murder or Felony is committed in one County, and more perſons be acceſſary thereunto in another County, an Indictment found and taken againſt ſuch acceſſary before Juſtices of Peace, or other Commiſſioners in the County where ſuch perſon is acceſſary, ſhall be as good in Law, as if the principal offence had been committed in the ſame County.

XV. The Juſtices of Goal-delivery, or *Oyer* and *Terminer*, (or two of them) of the County where the party ſo became acceſſary, ſhall

ſhall (upon requeſt) write unto the *Cuſtos Rotulorum*, where the principal ſhall be attainted or convicted, to certifie them whether the principal ſhall be attainted, convicted, or otherwiſe diſcharged; and then the Juſtices of Goal-delivery, *Oyer* and *Terminer*, or others authorized, ſhall proceed upon every ſuch acceſſary in like manner, as if both the principal offence, and acceſſary had been committed in the County where the party ſo became acceſſary: and thereupon every ſuch acceſſary ſhall anſwer upon his arraignment, and receive ſuch trial, judgment, and execution, and ſuffer pains and forfeitures, as are uſed in other caſes of Felony.

Tunnage and Poundage. *See* Cuſtomes, &c. Numb. XXVII.

Vacations of Biſhopricks.

I. **Magna Carta, 33. 9 H. 3.** PAtrons of Abbeys ſhall have the cuſtody of them in time of Vacation.

II. **Stat.** *Pro Clero.* 4. 14 E. 3. Eſcheators ſhall preſerve from waſte and deſtruction, the poſſeſſions of Archbiſhopricks, Biſhopricks, and other Prelacies during their Vacations, and the Chancellor and Treaſurer ſhall demiſe them to the Dean and Chapter, or Prior, and Convent before any other, at a reaſonable rate, without fine; but if they will not take them, then ſhall the ſaid Chancellor and Treaſurer cauſe them to be preſerved by the ſaid Eſcheators, or others, and the reaſonable profits thereof to be anſwered to the King.

III. **Stat.** *pro Clero.* 5. 14 E 3. This Chapter is alſo for demiſing them to the Dean and Chapter, or Prior and Convent, at a reaſonable rate, and without fine, as before, and that the Eſcheator or other Miniſter ſhall not enter or moleſt them.

Vagabonds, Rogues, Beggars, and Poor People.

* I. Stat. 39 *El.* 4. Juſtices of Peace within every County and Corporation, have power in Seſſions to give order for erection of Houſes of Correction, and alſo for the maintenance and government of the ſame, and for the puniſhment of offendors, which ſhall be thither committed.

II. All Scholars and Sea-faring men which beg; All wandering perſons which either begg, uſe unlawful Games and Playes, feign themſelves to have skill in Phyſiognomy, Palmiſtry, or the like, or pretend to tell Fortunes; All perſons that are, or pretend to be collectors for Goals, Hoſpitals, &c. All Fencers, Bearwards, common Players, and Minſtrels wandring abroad, other than ſuch as ſhall be authorized by Noble-men, under their hands and ſeals; All Jugglers, Tinkers, Pedlars, and petty Chapmen wandring abroad; All Labourers which wander and refuſe to work for wages reaſonably taxed, having no living otherwiſe to maintain themſelves; all perſons delivered out of Goals, which beg for their Fees, or otherwiſe do travel begging, all which wander abroad begging, pretending loſs by fire or otherwiſe; and all ſuch perſons (not being Felons) wandring and pretending themſelves to be *Egyptians*, ſhall be adjudged Rogues, Vagabonds, and ſturdy Beggars.

III. If any ſuch Vagabond ſhall be taken begging, wandering, or miſordering him or her ſelf, he or ſhe, by the appointment of any Juſtice of Peace, Conſtable, Headborough, or Tithing-man there, (the two laſt being aſſiſted by the Miniſter, and one other of the Pariſh) ſhall be ſtripped naked from the middle upwards, openly whipped, till their body be bloody, and forthwith ſent the next way from Pariſh to Pariſh, by the Officers of each Pariſh, towards the place of their birth: But if it cannot be known, then towards the place where they laſt dwelt, by the ſpace of one whole year before ſuch puniſhment; and if that cannot be known, then to the Town through which they laſt paſſed without puniſhment; and if it cannot be diſcovered where they were born, or laſt dwelt, as aforeſaid, then are they to be conveyed by the Officer there, to the houſe of Correction, or common Goal of the County, to be imployed in work, or placed in ſome ſervice, and ſo to continue by the ſpace of one year; or in caſe they be not able in body, that Town is to keep them, till they may be placed in ſome Alms-houſe within the ſame County.

After

IV. After which whipping, the Vagabond ſhall have a Teſtimonial under the hand and ſeal of the ſaid Juſtice, Conſtable, Head-officer, Tything-man, and Miniſter, or any two of them, teſtifying the day and place of his puniſhment, the place to which he is to be conveyed, and the time limited for his paſſage thither; which time, if by his own default he exceeds, he ſhall from time to time incur the like puniſhment, till he arrive at the place limited; the ſubſtance of which Teſtimonial, ſhall be regiſtred by the ſaid Miniſter in a Book provided for that purpoſe, in pain of 5 *s.*

V. If any ſuch Rogue ſeem dangerous, or will not be reformed, two Juſtices of Peace, (one of *Quorum*) ſhall commit him to the houſe of Correction; and if at the next Quarter-Seſſions by the more part of the Juſtices there, he ſhall not be thought fit to be delivered, he ſhall by them be baniſhed; and at the charge of that County, ſhall be conveyed to ſuch parts beyond the Seas, as ſhall by ſix, or more of the Privy Council for that purpoſe be aſſigned, whereof the Lord Keeper or Treaſurer to be one; otherwiſe adjudged to the Gallies of the Realm, as the ſaid Juſtices ſhall think fit: And if a Rogue ſo baniſhed return without licenſe, he ſhall ſuffer as a Felon, to be tryed in the County where he ſhall be apprehended.

VI. If a Conſtable, Head-borough, or Tything-man, be found negligent in the due execution of this Act, they ſhall forfeit 10 *s.* for every default; and none ſhall make reſcous againſt any Officer, or hinder the execution of this Law, in pain of 5 *l.* and to be bound to the good behaviour.

VII. None ſhall tranſport ſuch a Rogue out of *Ireland*, *Scotland*, or the Iſle of *Man*, (being born in any of theſe places) in pain to forfeit 20 *s.* to the uſe of the poor where he lands: And if any then ſhall be hereafter found in *England* or *Wales* they ſhall ſuffer puniſhment, and be conveyed the next way home, as aforeſaid; or (in caſe they came by Sea,) to the place where they landed, from whence they are to be tranſported, at the charge of that County, to the place from whence they came.

VIII. No impotent poor perſon ſhall paſs to the *Bath* or *Buxton*, without being licenſed to paſs by two Juſtices of Peace where they dwell, and provided with relief, both for their Journey and abode there, and ſhall alſo return within the time limited by their licenſe, in pain to be reputed and puniſhed as Rogues: and the City of *Bath*, or Town of *Buxton* ſhall not be chargeable with any ſuch.

Juſtices

IX. Juſtices of Peace of the Counties, ſhall not intermeddle in Cities or Corporations, but only the Officers of the ſame, who ſhall have like power there, as the ſaid Juſtices have in Counties.

X. This Act ſhall not extend to reſtrain the power which the City of *London* hath in the Government of Saint *Thomas* Hoſpital in *Southwark*, or to prejudice any juriſdiction or inheritance of *John Dutton* of *Dutton*, in the County of *Cheſter* Eſquire.

XI. The forfeitures and fines which ſhall accrue by this Act (other then that above otherwiſe limitted) ſhall be imployed for the maintenance of houſes of Correction, or the relief of the poor where the offence ſhall be committed, at the diſcretion of the ſaid Juſtices of Peace, and may be levyed by warrant under the hands and ſeals of two Juſtices of Peace, by diſtreſs and ſale of goods: And here the confeſſion of the offendor, or proof by two witneſſes before two ſuch Juſtices ſhall be ſufficient conviction.

XII. Two Juſtices of Peace, (one of *Quorum*) ſhall have full power to hear and determine all cauſes which may come in queſtion by reaſon of this Act.

XIII. The Lord Chancellor or Keeper for the time being, ſhall have power to make Commiſſioners to enquire of money given towards the erection or maintenance of houſes of Correction, ſtocks for poor, or other ſuch like uſes.

XIV. A Seafaring-man ſuffering ſhipwrack, not having wherewithal to relieve himſelf, and having a Teſtimonial under ſome Juſtice of Peace his hand and ſeal, near the place where he landed, declaring the time and place of his landing, the place of his dwelling or birth, unto which he is to paſs, and the time limitted for his paſſage, may in the direct way home, and within the time ſo limited for his paſſage, ask and receive neceſſary relief, without incurring the penalties of this Act.

XV. This Act ſhall not extend to children under ſeven years old, nor to glaſs-men, which travel without begging, by licenſes under the hands and ſeals of three Juſtices of Peace, (one *Quorum*) of the County through which they travel.

XVI. **Stat.** 39 *El.* 17. Wandring Souldiers and Mariners, and all others, wandring as Souldiers or Mariners, which will not ſettle themſelves to work, or have not a Teſtimonial under the hand of ſome one Juſtice of Peace near the place of their landing, ſetting down the place where they landed, the place whither they are to paſs, and the time of their paſſage, or having a Teſtimonial, exceed the time therein limited, above fourteen days, or counterfeit Teſtimonial, or produce one which they know to be counterfeit, ſhall in

all

all theſe caſes, ſuffer as Felons, without benefit of Clergy.

XVII. Juſtice of Aſſize, Goal-delivery, and of Peace, in their Seſſions, have power to proceed againſt theſe offendors, as in caſe of Felony without Clergy, unleſs ſome ſufficient man (allowed by the Juſtices) will enter into Recogniſance of 10 l. to the Queen, to retain the offendor for one whole year, and to bring him to the next Seſſions of Peace and Goal-delivery after the year ended. And if he within the year depart that ſervice without licenſe, he ſhall afterwards ſuffer as a Felon without Clergy.

XVIII. Souldiers and Mariners, which fall ſick in their paſſage home, ſhall be excuſed, though they exceed the time limited in their Teſtimonial, ſo that they perform this Act in convenient time after their recovery.

XIX. If, when they come home, they cannot get work, the two next Juſtices (upon their complaint) ſhall take order, that they may be provided of work, or otherwiſe ſhall tax the whole Hundred for their relief, untill work may be had.

XX. The Souldier or Mariner (licenſed by a Juſtice of Peace to whom he ſhall make his poverty known) having not wherewith to bear his charges home, may ask and take relief, ſo it be in his direct way home, and within the time limited by his licenſe.

XXI. Theſe offences ſhall cauſe no corruption of blood.

XXII. Stat. 1 *Jac.* 7. Noble Perſonages ſhall authorize none to go wandring abroad; and Glaſs-men ſhall be reputed and uſed as Rogues, notwithſtanding the Statute of 39 *El.* 4.

XXIII. Inſtead of baniſhing an incorrigible Rogue, or committing him to the Gallies (as was ordained by 34 *El.* 4.) he ſhall in open Seſſions be branded in the left ſhoulder with a burning iron, having a great Roman R. upon it as broad as a ſhilling: And from thence ſhall be ſent to the place of his laſt dwelling; if that cannot be known, to the place of his birth: After which time if he offend again, he ſhall ſuffer as a Felon, without benefit of Clergy.

XXIV. Every perſon that ſeeth or knoweth any Rogue to beg, ſhall convey or cauſe him to be conveyed to the next Conſtable or Tything-man, in pain of 18s. to be levied and imployed as the forfeitures of 39 *El.* 4. and in default thereof, then by the Lord of the Leet, or his officer, in like manner as the perſons authorized by the ſaid Statute ſhould have levyed and imployed the ſame. And here alſo if the Conſtable or Tything-man do not puniſh him according to that Statute, he ſhall forfeit 20s. to be alſo levyed and imployed as by the ſame Statute is appointed.

This

XXV. This Act shall not prejudice the jurisdiction of inheritance of *John Dutton* of *Dutton* in the County of *Chester* Esquire.

XXVI. *Stat. 7 Jac. 4.* There shall be an house of Correction provided in every Shire to set Rogues and other idle people to work.

XXVII. The Justices in Sessions shall from time to time appoint a Governour for the said house, who shall have power to set such Rogues and idle people to work, and to punish them by moderate whipping, or putting Fetters or Gives upon them; which Rogues and idle persons shall not be chargeable to the County, nor have other allowance than what they shall deserve by their own labour.

XXVIII. The said Justices shall at least twice every year within their several divisions (and oftner if need be) assemble and meet together for the better execution of this Statute, and some four or five dayes before their meeting, shall by warrant command the Constables and Tything-men of every Hundred, Town and Hamlet, (being assisted with other sufficient men) to make a general privy search in one Night within their several Precincts, for the finding and apprehending of Rogues, &c. and such as shall be found, to bring them to the said meeting, to be examined, punished, or sent to the house or houses of Correction, there to be set to work.

XXIX. The said Constables and Tything-men shall appear at the said meeting, and there give an accompt upon oath in writing, under the Masters hand, testifying the Rogues, &c. they have taken in the last search, or since the last meeting, and how many have been punished, or otherwise sent to the house of Correction: Which if they neglect to do, or safely to convey such to the house of Correction, as by the said Justices Warrant shall be committed thither, they shall incur what fine the said Justices shall please to set upon them, so it exceed not 40 s.

XXX. The Governors of the houses of Correction shall have such a sum of money yearly, as shall be thought fit by the more part of the Justices of Peace in Sessions, the same to be paid quarterly before-hand by the Treasurers of the County, the Governors giving security for their continuance in the said service.

XXXI. If any lewd woman have a Bastard which may be chargeable to the Parish, the Justices of Peace shall commit her to the house of Correction, there to be punished, and set to work one whole year; And if she offend again, then she is to be committed again, there to remain till she put in good sureties for the good behaviour, and not to offend so again.

XXXII. Persons running away and leaving their charge to the Parish, shall be deemed and punished as incorrigible Rogues: And those that threaten so to do (it being proved by two witnesses upon oath before two Justices of Peace of the same division) shall be by the same Justices sent to the house of Correction, there to be punished as sturdy Rogues, (unless they put in sufficient Sureties to discharge the Town) and not to be delivered but at such a meeting, as aforesaid, or in open Sessions.

XXXIII. If the Governors shall not every Quarter-Sessions yield to the said Justices a true account of all such persons as shall be committed to their custody: or if they suffer any within their charge to make escape, or to be troublesome to the Country by going abroad, or otherwise, they shall incur what fine the same Justices in Sessions shall think fit to impose upon them.

XXXIV. All Fines which shall accrue by this Act (other then those already limited) shall be paid to the Treasurers of the County, and by them be accounted for.

XXXV. See Title, *Poor*, Numb. XLV. and XLVI.

Vestry-men. *Vid.* Religion, *Numb.* XXIII.

Victual, Victuallers, Inholders and Hostlers.

* I. Stat. 12 E. 26. No person in any City or Burrough, which by reason of his Office ought to keep the Assizes of Wine and Victuals, as long as he shall be attendant upon his Office, shall buy or sell Wines or Victuals, in pain to forfeit the same to the King, whereof the prosecutor shall have the third part of the King's gifts.

* II. Stat. 23 E. 3 6. All Butchers, Fishmongers, Regrators, Hostlers, Brewers, Bakers, Poulterers, and all other sellers of Victuals, shall sell the same at reasonable prizes, and for moderate gain, in pain (upon proof of the contrary, before the Sheriff or the Kings Bailiffs, or before the Constables of the place, by the evidence of two true men) to forfeit the double value thereof to the party damnified, or (in his default) to him that will sue for the same: And all Majors, and Head-Officers of Corporations have like power, and upon neglect of their duty herein, shall forfeit the treble value thereof to the party or prosecutor, as aforesaid; and besides shall incur

a fine to the King, to be impoſed by the Juſtices, to be aſſigned by the King.

* III. Stat. 31 E. 3. 10. Every man that bringeth Victual to *London*, may freely ſell the ſame without the interruption or impeachment of any.

IV. The Mayor and Aldermen of *London* may rule and redreſs the defaults of Fiſhmongers, Butchers and Poulterers, as they do of ſuch as ſell Beer, Ale, or Wine, notwithſtanding any Franchiſe, Statutes, Cuſtome, or other priviledge to the contrary: And they ſhall put the ſame in due execution, upon the pain ordained by the Statute of 28 E. 3. 10. *whitbſoe in* London.

* V. Stat. 6 *R.* 2. Stat. 1. 9. No Victualler in *London*, or any other City, Borough, or Port of the Sea, ſhall exerciſe any judicial Office there, and in caſe any be choſen in the places aforeſaid in ſuch Office, he ſhall forbear to uſe victualling, during the time he exerciſeth ſuch Office, in pain to forfeit the victuals ſold.

VI. Stat. 6 *R.* 2. 10. Aliens (being in amity with the King and Realm) may bring in victual, and ſell the ſame in groſs, or by retail without the impeachment of any: See Stat. 11 *R.* 2. 7. 1 *H.* 4. 17. 14 *H.* 6. 6.

* VII. Stat. 7 *R.* 2. 11. All Vintners and Victuallers, as well Fiſhmongers as other coming with their victuals to *London*, ſhall be under the governance of the Mayor and Aldermen of that City, as hath been heretofore uſed.

* VIII. Stat. 13 R. 2. 8. Victuallers ſhall ſell their victuals at ſuch reaſonable prizes, as ſhall be ſet down by the Juſtices of Peace in two of their Seſſions to be holden betwixt *Eaſter* and *Michaelmas*, in pain to be puniſhed at the diſcretion of the ſaid Juſtices, where no pain is already limited in certain.

IX. And here Sheriffs, Stewards, Mayors, Bailiffs, and all others which have power to keep Aſſize of Bread and Ale, ſhall take no fine or Amerciament for any default touching the Aſſize, for which the Offendor ought by Law to have bodily puniſhment.

* X. Stat. 23 *H.* 6. 13. Juſtices of Peace ſhall twice every year cauſe all Statutes concerning Victuallers (before this time made) to be openly proclaimed in Seſſions.

* XI. Stat. 12 E. 4. 8. No perſon (other then Mayors, Bailiffs, Lords of Leets, or others in point of Charter) ſhall execute any Office of ſearching or ſurveying of Wine, Ale, Beer, or any other victual, or of the correction of breaking the Aſſize thereof, in pain to forfeit 40 l. to be divided betwixt the King and proſecutor.

and all Letters Patents of the King granted for that purpose, shall be void.

* XII. Stat. 3 H. 8. 8. When a Victualler (in a City or Corporation) is chosen to bear an Office, by reason whereof he ought also to have the Assizing of victual, during that time, two other (being no victuallers) shall be joyned and sworn with him, truly to assess and set prizes and assizes of victual there, and they shall be sold accordingly: but here the Officers in *London*, *York*, and *Coventry* are excepted.

* XIII. Stat. 25 H. 8. 2. The prizes of victual in all places (except Corporations) shall be assessed by the Kings Councellors, Justices of either Bench, and some other great Officers: *For which see the Statute at large.*

XIV. Provided, that Head-Officers in Corporations and others (having authority to prize victual) may still assesse the prizes thereof, as if this Statute had not been made.

XV. No Corn, Beefs, Muttons, Veals, Porks, or other victual shall be transported beyond Sea, except for victualling of Ships, and barrelled Butter, and Meal: to be carried into *Island*, in pain to forfeit the value thereof, to be divided betwixt the King and the prosecutor.

XVI. Stat. 2, 3 E. 6. 15. Butchers, Brewers, Bakers, Poulterers, Cooks, Costermongers, or Fruiterers, which conspire or promise together, that they will not sell their victuals, but at certain prizes, shall forfeit for the first offence 10 *l.* to the King: and if they pay it not within six dayes after conviction, they shall suffer twenty dayes imprisonment, and during that time shall have no sustenance but bread and water: for the second offence they shall forfeit 20 *l.* and that not paid within six dayes, as aforesaid, shall suffer the pillory: And for the third offence shall forfeit 40 *l.* and that not paid within the time above limited, shall again suffer the pillory, lose one of their ears, and be ever after taken as men infamous, and not to be credited: and if such conspiracy be acted by the major part of a Company of such victuallers, their Corporation shall be thereupon dissolved.

XVII. Justices of Peace, Mayors, Bayliffs and Stewards, in Sessions, Leets, and Courts have power to hear and determine these offences.

* XVIII. Stat. 1, 2 P. M. 5. None shall transport beyond Sea, or into *Scotland* any corn or grain of English growth, or Malt made there, or any beer, butter, cheese, herring, or wood without lawful autho-

authority; in pain that the owner of the veſſel in which they are ſo tranſported, ſhall forfeit his veſſel; the owner of the ſaid Commodity ſo tranſported, the double value thereof; and the Maſter and marriners, all their goods, and ſuffer a years impriſonment without bail: Neither ſhall any convey by any veſſel any of the aforeſaid commodities to any other Ship or Veſſel to be tranſported, in pain to incur the like forfeitures and penalties.

XIX. The one moyety of the ſaid forfeitures ſhall accrue to the King and Queen, and the other to the proſecutor.

XX. In caſe the King and Queen, their heirs or ſucceſſors grant licenſe to tranſport ſuch Commodities, the licenſed ſhall not tranſport more then the licenſe allows, in pain to forfeit the treble value thereof, and to ſuffer a years impriſonment without bail: And ſuch licenſe, ſhall ſhip the ſaid commodities at one and the ſame place, in pain to forfeit all his goods and chattels, to be divided as followeth, *viz.* the one moyety to the King and Queen, and the other to the proſecutor.

XXI. Juſtices of the Peace have power to examine all offendors againſt this Act, and to hear and determine (by the oaths of 12 lawful men) the offences committed againſt the ſame.

XXII. Provided, that when wheat ſhall not exceed the price of 6 s. 8. d. Rye of 4 s. and Barley of 3 s. 4 d. the quarter, it ſhall be lawful to tranſport them, notwithſtanding this Act: Neither ſhall this Statute impeach the neceſſary victualling of Ships, or the Admirals Juriſdiction: *Howbeit, as to the tranſportation of Corn, this Statute hath ſince been divers times altered by ſundry ſubſequent Acts,* viz. 13 El. 1 Jac. 25. and 21 Jac. 28. *and laſt of all, by* 3 Car. 4. *which ſee in* Corn, *and ſo it ſtands at this day.*

XXIII. ℌ *Stat.* 21 Jac. 21. The Statute of 32 H. 8. 41. together with other Statutes concerning horſe-bread, is repealed.

XXIV. Inholders and Hoſtlers ſhall make no horſe-bread; ſhall ſell their hay, provender, and victuals at reaſonable prizes, and ſhall take nothing for litter.

XXV. This Act ſhall not reſtrain thoſe that dwell in a Thorowfair (which is no Market-town, and wherein there is no Baker) to make horſe-bread, according to the juſt aſſize.

XXVI. Juſtices of *Oyer* and *Terminer*, Juſtices of Peace, Sheriffs in turns, and Stewards in Leets, have power to hear and determine theſe offences.

XXVII. If any Inholder, or Hoſtler, which hath power (by this Act) to make horſe-bread, obſerve not the Aſſize, or if he or any other offend this Law in any other kind whatſoever; for the firſt

offence they ſhall be fined, for the ſecond ſuffer a months impriſonment without bail, for the third be ſet upon the Pillory, and for the fourth, ſhall be fore-judged from ever keeping an Inne again.

View.

I. Weſt. 2. 48. 13 E. 1. View of Land ſhall not be granted, but where it is neceſſary: for example, if one loſe Land by default, and afterwards moveth for a Writ to demand the ſame Land; or when one by an exception dilatory abateth a Writ after view had, as by non-tenure, miſnaming of the Town, or the like; In theſe caſes, upon purchaſe of another Writ, view ſhall not be granted, if he had view in the firſt Writ: ſo in a Writ of Dower, when the Dower in demand is of Land, which the husband aliened to the Tenant, or his Anceſtors, whereof the Tenant ought not to be ignorant: Here, albeit the husband dyed not ſeiſed, yet view ſhall not be granted to the tenant: Alſo in a writ of entry, which abated, becauſe the Demandant miſnamed the entry; here, if the demandant purchaſe another Writ of Entry, the tenant having had view in the firſt Writ ſhall not have it in the ſecond: Likewiſe, in all Writs, where Lands are demanded by reaſon of a Leaſe made by the demandant or his anceſtor to the tenant himſelf, being within age, *non compos mentis*, in priſon, or the like, view ſhall not be granted, but if the demiſe were made to his anceſtor, view ſhall lye, as hath been heretofore uſed.

II. Stat. *De viſu terræ, & Eſſoin de ſervitio Domini Regis* 12 E. 2. view ſhall be granted in a writ of Ward, of cuſtoms and ſervices, of Advowſon of a Church (*viz.* when there be more Churches then one in a Town, and all of one Saint) of Dower to be aſſigned, and of *Nuper obiit*.

Villenage.

I. The Statute of Purveyors, cap. 18. 25 E. 3. Notwithſtanding adjournment made in *Eyre*, by writ, *de libertate probanda*, purchaſed in favour of Villeins to delay their Lords in their Actions for ſuch Villeins, the Lord may in all Writs plead the exception of Villenage againſt them, whether ſuch Writ were purchaſed by deceit, or otherwiſe: The Lords alſo may ſeize their bodies, as well

as

as they might have done before ſuch Writs *de libertate probanda* purchaſed.

II. Stat. 38 E. 3. 15. No Writ ſhall be abated by exception of Cognizance of villenage, if the Demandant or Plaintiff will aver, that the party alledging the exception was free the day of the Writ purchaſed.

III. Stat. 9 R. 2. 2. Becauſe divers Villeins and Neifs did fly to *London*, and other enfranchiſed places, and there did feign divers ſuits againſt their Lords, with intent to make themſelves free by their Lords anſwers, it was ordained, that from henceforth no Lord ſhould be barred of his Villein becauſe of his anſwer in Law.

Union and ſevering of Churches.

I. Stat. 37 H. 8. 21. An Union or Conſolidation of two Churches in one, or of a Church and a Chappel in one, the one of them not being above the yearly value of 6 *l.* in the Kings books, nor diſtant from the other above a mile, may be had and made by the aſſent of the Ordinary, the Incumbents, and all ſuch as have a juſt right, title, and intereſt to the Patronages thereof, being of full age: And all ſuch Union and Conſolidation ſhall remain as good in Law, as if it had been ſo declared by writing under the Seals of ſuch Ordinary, Incumbents and Patrons.

II. All ſuch Unions heretofore made, are confirmed: Howbeit, the Kings tenths and Firſt-Fruits of ſuch Churches and Chappels already, or hereafter to be conſolidated, are ſaved.

III. Such conſolidations ſhall not be in Corporate Towns without the conſent of the Magiſtrates thereof, declared in writing under their Common Seal.

IV. Provided, that where the Inhabitants of any ſuch Pariſh, or the more part of them, within a year after ſuch Union, by their writing ſufficient in Law, ſhall aſſure the Incumbent there and his ſucceſſors ſo much money yearly, which together with the value thereof in the Kings books ſhall amount to 8 *l.* that then ſuch union ſhall be void: Howbeit, this proviſo ſhall not extend to any ſuch Union made before this Statute.

V. Stat. 1 E. 6. 9. An Act for uniting certain Churches in *York*, with divers clauſes concerning that matter.

VI. Stat. 1 M. Parl. 1. 14. An Act for re-edifying the Church of St. *Ellens* in *Stangate* in *York*, which was demoliſhed by the former Statute. *See thoſe Statutes at large.*

Universities.

I. Stat. 2, 3 P. M. 15. No Purveyor, Taker, Badger, Loader, or other Minister shall take or bargain for any Victual or Grain in the Markets of *Oxford* or *Cambridge*, or in any part of the said City and Town, or within five miles compass of either of them without the consent of the owner, nor shall take away or bargain for any such Commodity bought or provided within the said five miles by any common Minister of any Colledge or Hall there to be spent in such Colledge or Hall, in pain to forfeit the quadruple value thereof, and to suffer three Moneths imprisonment without bail.

II. The Chancellor, or Vice-Chancellor, or his Commissary in either of the said Universities with two Justices of Peace of the County adjacent have power to inquire, hear, and determine the said offences.

III. The forfeiture shall be divided betwixt the University where such offence is committed, and the prosecutor, and may be recovered in any Court of Record, or before the said Chancellor, Vice-Chancellor, or Commissary, and two Justices.

IV. This Act shall be suspended during the Queens presence, her Heirs and Successors, or within seven miles distance therefrom.

V. The Liberties of the Mayors, Bailiffs, and Communalties of *Oxford* and *Cambridge* are saved.

* VI. Stat. 23 *El.* 21. No Purveyor, Taker, Badger, Loader, Poulterer, or other Minister of the Queen, her heirs and successors, shall take or Bargain for any grain or other victual in either of the said Universities, nor within the compasse of five miles from either of them, without Licence of either of the said Chancellors or Vice-Chancellors, in writing under the Seal of their Office, and not otherwise then as in the said Licence is expressed, and so as the same give unto them no further power then they may lawfully use in other parts of the Country without the said five miles: neither shall they take away or bargain for any such commodity bought and provided for any Colledge or Hall to be spent within the same without such Licence, as aforesaid, upon such pains and forfeitures, as by the Statute of 2, 3 *P. M.* 15. are ordained, and to like uses as are therein limited.

VII. The said Chancellors or Vice-Chancellors, with two Justices of Peace of the Universities, City, Town or County, shall inquire,

quire, hear and determine the ſaid offences, as by the Statute of 2, 3. P. M. is appointed.

VIII. If any perſon within the ſaid five miles, refuſe to ſerve the Univerſities, then it ſhall be lawful for the Queens Purveyors to provide for the Queens uſe, any corn or victual of any ſuch perſon within the ſaid five miles, as ſhall be declared to the ſaid Purveyors, to be perſons not worthy of the ſaid priviledge, for not ſerving the Univerſities, by the Chancellors or Vice-Chancellor, with the conſent of two ſuch Juſtices as aforeſaid, under the hands and ſeals of the ſaid Chancellor, or Vice-Chancellor, and two Juſtices, in ſuch ſort as the ſaid Purveyors lawfully may in any other place without the ſaid five miles, and not otherwiſe.

IX. This Act ſhall be in ſuſpenſe, during the Queens preſence there, or within ſeven miles diſtance.

X. The Liberties of the Mayors, Bailiffs, and Communalties of *Oxford* and *Cambridge* are ſaved.

Voucher.

I. **Marlbr. 29. 52 H. 3.** None vouched to Warranty before Juſtices in *Eyre*, in plea of land, ſhall be amerced, becauſe he was not preſent, when he was vouched, except it be the firſt day of the coming of the Juſtices; but if the party be with the County, the Sheriff ſhall cauſe him to come in within three or four dayes; and if out of the County, he ſhall have ſummons of 15 dayes at leaſt.

II. **Weſt. 1. 39. 3 E. 1.** In Writs of Poſſeſſion, as *Mortdanceſter*, Coſinage, *Ayel*, *nuper obiit*, intruſion, or the like, whereby land is demanded, which ought to deſcend, revert, remain, or Eſcheat by the death of any Anceſtor, or otherwiſe, if the tenant vouch to Warranty, and the demandant will counter-plead him, and aver, by aſſize or by the Countrey, as the Court ſhall award, that the tenant or his Anceſtor (whoſe heir he is) was the firſt that entred after the death of him, of whoſe ſeiſin he demandeth, this averment ſhall be received, if the tenant will abide thereupon; but if not, he ſhall be compelled to another anſwer, unleſs he have his Warrantor preſent, who will immediately enter into the Warranty: And then alſo, the demandant may have the like exception againſt the Vouchee, as he had againſt the firſt tenant.

III. In a Writ of Entry in the degrees none ſhall vouch out of the line.

IV. In Writs of right and of poſſeſſion (as before) it is alſo a good counter-plea, that neither the Vouchee nor his Anceſtors had ever

ever ſeiſin of the land, or any thing in the ſervices by the hand of the tenant or his anceſtors, from the time of the ſeiſin, whereof the demandant declares, untill the Writ purchaſed, ſo that he might a feoffment make to the tenant or his anceſtors, and this averment of the demandant ſhall be alſo received, if the tenant will abide thereupon; but if not, the tenant ſhall be compelled to another, as before, unleſs the Vouchee be preſent, and will immediately enter into Warranty, and then alſo the demandant may have like exception as before.

V. If the Tenant have a Deed, that compriſed Warranty of another man, his recovery by a Writ *de Warrantia cartæ*, out of the Chancery ſhall be ſaved to him: howbeit the plea ſhall not be delayed by reaſon thereof.

VI. The Stat. of Glouceſter, 12. E. 1. If a man impleaded for a tenement in *London*, vouch a foreigner to Warranty, he ſhall have a Writ out of the Chancery, to ſummon the Warrantor at a certain day before the Juſtices of the Bench, and another to the Mayor and Bailiffs of *London*, to ſurceaſe the matter before them, untill the Plea of the Warranty be determined in the Bench, and when the Plea at the Bench ſhall be determined, then ſhall the Vouchee be commanded to go into the City to anſwer the chief Plea, and a Writ ſhall alſo be awarded at the Demandants ſuits by the Juſtices to the Mayor and Bailiffs, to cauſe them to proceed in the Plea: And if the Demandant recover againſt the tenant, the tenant ſhall come before the Juſtices of the Bench, who ſhall direct a Writ to the Mayor and Bailiffs, to cauſe the land ſo loſt by the tenant to be extended and valued, and to return that extent at a certain day unto the Bench, and after the Sheriff of the County (where the Warranty was ſummoned) ſhall be commanded to deliver to the Voucher land of the Vouchee anſwerable in value to the land that the Voucher hath loſt: *See a correction and ſome enlargement of this Statute*, 9 E. 1.

VII. Weſt. 1. 6. 13 E. 1. As the tenant ſhall loſe the land in demand, in caſe where his Vouchee diſchargeth himſelf of the Warranty, ſo alſo ſhall the Vouchee loſe, where he denieth the Warranty, and it be tried againſt him: Alſo, where an Enqueſt is depending between the tenant and his Vouchee, and the demandant will require a Writ to cauſe the Jury to come, it ſhall be granted him.

VIII. The Statute of Vouchers, 20 E. 1. This counterplea of Voucher, *viz.* that neither the Vouchee nor his Anceſtors, had ever any thing in the land, ſo that he might a feoffment make with Warranty,

ranty, shall be received, albeit the Vouchee be ready to enter into Warranty.

IX. Stat. 14 E. 3. 18. Where the tenant voucheth to Warranty a dead-man, the Demandant shall be received, to averr, that the Vouchee is dead, and that there is none such.

Upholsters.

* I. Stat. 11 H. 7. 19. None shall put to sale in Fairs or Markets any Fetherbeds, Bolsters, or Pillows, except such as are stuffed with one sort of stuff, *viz.* dry pulled feathers, or clean down, and not with scalded feathers, fen-down, or any other unlawfull corrupt stuff, in pain to forfeit the same: Howbeit any (for their private use) may make or cause to be made any such unlawful stuff or wares, so as the same be not exposed to sale in Fairs or Markets, upon the like pain.

II. Also Quilts, Mattresses, and Cushions, shall be stuffed with one sort of stuff only, *viz.* clean wooll, or clean flocks, and not with horse-hair, Fen-down, Nets-hair, Goats-hair, or other unlawful stuff, in pain to forfeit the same.

* III. Stat. 5. 6 E. 6. 23. None shall make (to the intent to sell or offer to be sold) any Fether-bed, Bolster, or Pillow, except the same be stuffed with dry pulled feathers or clean down only, without mingling of scalded feathers, Fen-down, Thistle-down, Sand, Lime, Gravel, or other unlawfull or corrupt stuff, in pain to forfeit the same (so offered to be sold) or the value thereof.

IV. None shall make (to the intent to sell or offer to be sold) any Quilt, Mattress, or Cushions, stuffed with any other stuff, then feathers, wool, or flocks alone, in pain to forfeit the same (so sold or put to sale) or the value thereof.

V. The Forfeitures aforesaid are to be divided betwixt the King and the Prosecutor.

Uses.

I. Stat. 1 R. 3. 1. All grants, conveyances, recoveries, and other assurances made by *Cestuy que use* (being of full age, *compos mentis*, and at large) shall be good against him, and all others claiming as his heir or heirs or to his use: But here, the right of all others is saved.

II. Stat. 1 H. 7. The Demandant in a *Formedon* (in descender or remainder) may have his Action against the Pernor of the profits,

profits, and ſuch Pernor ſhall have ſuch Voucher, Lyen, aids, prayer, and all other advantages as he ſhould have if he were tenant indeed, or his Feoffors ſhould have, if the action were brought againſt them: And if ſuch Pernor happen to die, his heir being within age, his heir ſhall alſo have his age, and all other advantages, as if his anceſtor had died ſeiſed of the land in demand: alſo all recoveries had againſt ſuch Pernors, their Heirs or their Feoffees, or Co-Feoffees and their Heirs, ſhall be as good as if ſuch Pernors were Tenants indeed, or Feoffees to their uſe, at the time of ſuch actions brought.

III. **Stat. 3 H. 7. 4.** All Deeds of Gift of Goods and Chattels made in truſt to the uſe of the grantor ſhall be void.

IV. **Stat. 19 H. 7. 15.** The Sheriff or other Officer having a Writ to execute upon lands againſt any perſon upon any Judgment, Statute, or Recognizance, may deliver Execution to the Plaintiff of all lands and tenements whereof any other is ſeiſed to the uſe of him, againſt whom execution is uſed.

V. Alſo the heir of *Ceſtuy que uſe* of land in ſocage, ſhall pay relief, Herriot, and all other duties to the Lord of the Fee, as if his anceſtors had died ſeiſed thereof.

VI. Howbeit, upon ſuch execution ſerved, as aforeſaid, *Ceſtuy que uſe* ſhall have all ſuch advantage as he might have, if he were ſeiſed of the land.

VII. *Ceſtuy que uſe* being a bond-man, the land may be ſeiſed by his Lord.

VIII. **Stat. 27 H. 8. 10.** Where any perſon or perſons ſtand or be ſeiſed of any Honours, Manors, Lands, Tenements, Rents, Services, Reverſions, Remainders, or other Hereditaments, to the uſe, confidence, or truſt of any other perſon, or perſons, or of any body politick, by reaſon of any bargain, ſale, feoffment, fine, recovery, covenant, contract, agreement, will, or otherwiſe: In every ſuch caſe, every ſuch perſon and perſons, and body politick, having ſuch uſe, confidence or truſt, in fee-ſimple, fee-tail, for life, or years, or otherwiſe, or any uſe, confidence, or truſt, in remainder, or reverſion, ſhall ſtand and be ſeiſed, deemed and adjudged in lawfull ſeiſin, eſtate, and poſſeſſion of and in the Honours, Caſtles, &c. with their appurtenances, of and in ſuch like Eſtates, as they have in uſe, truſt, or confidence, of or in the ſame: And the eſtate, title, right, and poſſeſſion of ſuch perſon or perſons, as are ſeiſed of any Lands, Tenements, or Hereditaments, to the uſe, confidence, or truſt of any ſuch perſon or perſons, or body politick, ſhall be deemed and adjudged to be in him or them, that have ſuch uſe, con-

confidence, or truſt of any ſuch quality, manner, form, and condition as they had before, in or to the uſe, confidence, or truſt, that was in them.

IX. When divers perſons are ſo ſeiſed to the uſe, confidence, or truſt of any of themſelves, they amongſt them that have ſuch uſe, or truſt, ſhall likewiſe have the ſeiſin, eſtate, and poſſeſſion, in ſuch quality, manner, and condition, as they had the uſe or truſt.

X. Howbeit, the right, title, &c. of all other, (except of the perſons ſo ſeiſed to any uſe or truſt) is ſaved, and all former right, title, &c. is alſo ſaved to them.

XI. Where any be ſeiſed to any uſe or intent, that another ſhall have a yearly rent out of the ſame lands, *Ceſtuy que uſe* of the rent ſhall be deemed in the poſſeſſion thereof, of like eſtate as he or ſhe had that uſe, and ſhall diſtrain for non-payment of the ſaid rent, and make Avowries, Conuſances, and Juſtifications, and uſe all other remedies therein, as if the ſaid rent had been actually granted to ſuch *Ceſtuy que uſe*.

XII. Where an eſtate is made in poſſeſſion or uſe to husband and wife, and his heirs or the heirs of their two bodies, or of one of their bodies, or to them for their lives, or for the wives life for her Joynture, in any of theſe caſes, ſhe ſhall not have dower: Howbeit, upon a lawful eviction of that Joynture, ſhe ſhall be endowed according to the rate of her husbands land, whereof ſhe was dowable.

XIII. Such a Joynture being made after Marriage, the wife (after her husbands death) may refuſe it, and betake her to her dower, unleſs ſuch Joynture be made by Act of Parliament.

XIV. Provided, that this Act ſhall not extinguiſh, releaſe, diſcharge, or ſuſpend any Statute, Recognizance or other bond, by the execution of any eſtate ſetled by force of this Act.

XV. All Wills and Teſtaments heretofore made, or hereafter to be made before the firſt of *May* 1536. ſhall be good in law, in ſuch manner, as they were commonly taken and uſed within 40 years before the making of this Act.

XVI. The King ſhall not take advantage by occaſion of the executing of any eſtate by Authority of this Act, before the firſt of *May*, 1536. *viz.* by having or demanding any *primer ſeiſin*, livery, *Ouſter le main*, fine for alienation, relief, or Herriot: but after that time fines for alienations, reliefs, and Herriots ſhall be paid to the King, and alſo liveries, and *Ouſter le mains* ſhall be uſed for uſes, truſts, and confidences, which ſhall be from thenceforth made and executed

tuted in poſſeſſion by force of this Act, neither ſhall any other Lord demand or take any fine, relief, or herriot, by occaſion of this Statute, before the ſaid firſt of *May*, 1536.

XVII. This Act ſhall not be prejudicial to any perſon or perſons born in *Wales* or the Marches thereof, who have any eſtate to them executed by force of this Act, in any lands in this Realm, where any other perſon now ſtands ſeiſed to their uſe; but ſuch perſon or perſons born there may lawfully have and keep all ſuch lands by authority of this Act, according to the tenor thereof.

☞ Uſury.

*I. Stat. 37 H. 8. 9. None ſhall ſell his wares or merchandize to any, and within three months after buy the ſame again at a leſſer price, knowing them to be the ſame wares, or buy any corrupt bargain of wares, money, or other thing; or buy any Mortgage of land and take in gain, for giving day of payment, more than according to the rate of 10 *l. per centum* for one whole year, in pain to forfeit the treble value of the profits of ſuch lands mortgaged, to be divided betwixt the King and the proſecutor, and beſides, ſhall ſuffer impriſonment, and make fine at the Kings will.

II. Stat. 13 *El.* 8. All Bonds, Contracts, and Aſſurances upon Uſury, in lending or doing any thing contrary to the Statute of 37 H. 8. 9. ſhall be void, and all Brokers and Solicitors thereof, ſhall be adjudged and uſed as Councellors, Attorneys, or Advocates, in the caſe of *Præmunire*.

III. He that takes no more then after the rate of 10 *l. per cent.* or leſs, ſhall only forfeit the intereſt, to be recovered and imployed as the forfeitures of 37 H. 8. 9.

IV. Juſtices of *Oyer* and *Terminer*, of Aſſize, and of Peace in their Circuits and Seſſions, and Mayors, Sheriffs, and Bailiffs of Cities, have power to hear and determine all offences committed againſt 37 *H.* 8. 9.

V. The Statute of 37 H. 8. 9. ſhall be conſtrued largely and ſtrongly againſt the party offending by any way or device directly or indirectly.

VI. This Act ſhall not extend to any allowances or payments for the finding of Orphans, according to the antient rates of *London*, or of any other City where order is taken for their cuſtody and good as in *London*.

VII. The offender againſt the Statute of 37 H. 8. 9. may alſo be puniſhed by the Eccleſiaſtical Laws.

VIII. Stat. 21 *Jac.* 17. None shall upon any contract, directly or indirectly take for the loan of any money or other commodities above the rate of 8 *l. per centum*, for one whole year, in pain to forfeit the treble value of the money, or other things lent.

IX. No Scrivener, Broker, or Solicitor, shall take or receive directly or indirectly for Brokage above the rate of 5 *s.* for the loan of 100 *l.* for one whole year, nor above 12 *d.* for making a Bond, in pain to forfeit 20 *l.* to be divided betwixt the King and the prosecutor, and also to suffer six months imprisonment.

X. Stat. 12 *Car.* 2. *Cap.* 13. None shall upon a contract directly or indirectly take for the loan of any money, wares, merchandizes, or other Commodities above the rate of 6 *l. per cent.* for loan of 100 *l.* for a year, and so proportionably upon pain to forfeit treble the value of the money or other things lent.

XI. No Scrivener, Broker, or Solicitor, shall take or receive for Brokage above the rate of 5 *s.* for the loan of 100 *l.* for a year, nor above 12 *d.* for making a bond, upon pain of forfeiture of 20 *l.* to be divided between the King and the prosecutor, and to suffer half a years imprisonment.

Wager of Law.

I. Magna Cart. 9 H. 3. NO Bailiff shall put any man to his open Law, nor to an oath, upon his own bare saying, without faithful witnesses brought in for the same.

II. Stat. 37 *E.* 3. 5. Any man may wage his Law (by sufficient people of his condition) against *Londoners* papers, and the Creditor shall take surety otherwise, if he please, but shall not put the party to plead to the Enquest, unless he will so do of his own accord.

III. Stat. 5 *H.* 4. 8. In Actions of debt upon the arrearages of account, feigning (to the intent to put the Defendants from their Law) that the same was found before their Apprentices or Servants, Auditors assigned therein, it shall be in the Judges discretion upon examination of the Attorneys (or whom else they please) to receive the Defendants to their law, or to try the same by Inquest.

Wales.

Wales.

I. *The second Volume of the Book of Old Statutes is a long Act made* (Anno 12 E. 3. *entituled*, Statuta Walliæ, *whereby it appeareth, that Wales was then incorporated and united to England, and there you shall also find many good Laws concerning the division of* Wales *into Counties, Trials and division of Actions, together with divers forms of writs, and the proceeding thereupon much like to the Laws of* England; *For all which, see there that Act at large.*

II. **Stat.** 18 E. 3. 2. All Lords of the Marches of *Wales* shall be perpetually attending and annexed to the Crown of *England*, as they and their Ancestors have been in times past, and not to the Principality of *Wales*, in whose hands soever the same shall come.

III. **Stat.** 9 H. 4 4. No Thief or Felon in *Wales* (openly known) shall be suffered to disclaim out of the Seigniory, where the Felony was committed. But such manner of disclaimer, shall be from henceforth utterly put out: and such Thieves shall be put to answer to Indictments and other accusations in the Seigniory, where they are taken, without being delivered by disclaiming or Letters of Marque.

IV. **Stat.** 2 H. 5. *Stat.* 2. 5. If a Welsh man that doth forcibly take and detain an English-man until he be ransomed, will not upon process awarded against him by the Justices, appear and answer the same until he be outlawed; the Justices shall certifie the same under their seals to the Officers of the Seigniories, where such outlaw is, who shall apprehend and do execution upon him, according to the Law. *But this is now altered by* 27 H. 8. 26. *which see after.*

V. **Stat.** 26 H. 8. Forthwith upon the charge given to any Enquest in *Wales*, or the Marches thereof, upon any traverse against the King, or trial of any recognizance broken, or any forfeiture due to the King, or upon tryal of any murderer, felon, or accessary, an officer or other person shall be deputed and sworn in open Court for the true keeping of the Jurors, who (without special order of the Court) shall not suffer them to have any bread, drink, meat, fire, or light, nor to speak to any person whatsoever; nor to speak to them himself, before they are agreed upon their verdict, unless it be only to ask them, whether or no they are agreed; and all this the Keeper shall observe, in pain to be imprisoned and fined, at the discretion of the Court.

Here

VI. Here, if the Jurors give any untrue verdict againſt the King, contrary to good and pregnant evidence, or otherwiſe miſdemean themſelves, the Lord Preſident and Council (upon complaint thereof) have power to convent them before the ſaid Council, and to puniſh them at their diſcretions.

VII. ☞ *Stat.* 26 H. 8. 6. All perſons dwelling in *Wales* or the Marches thereof, upon warning of any Court to be kept within their reſpective Limits, ſhall appear there in proper perſon to do their ſervice in pain of ſuch Fines, Forfeitures and Amerciaments, as ſhall be aſſeſſed upon them by the reſpective Courts, where they owe ſuch ſervice, to be levied by Diſtreſſe, to the uſe of the King within his Lordſhips there, and of other Lords Marchers within theirs.

VIII. If any Steward or other Officer there do feign any untrue ſurmiſe againſt any perſon that ſhall ſo appear, as aforeſaid, and thereupon commit him to priſon, contrary to Law, or the cuſtom of that Lordſhip, the Commiſſioners or Council (upon complaint) have power to ſend for ſuch Steward or Officer, and if upon good proof it be found that the party was ſo impriſoned without lawful cauſe, they ſhall aſſeſſe ſuch Steward or Officer to pay him 6 s. 8 d. for every day of his impriſonment, or more at their diſcretions, as the damage ſhall deſerve; the Commiſſioners ſhall alſo fine him to the Kings uſe, whether he appear or not, and may compel him by impriſonment to pay ſuch fines and penalties both to the King and the party grieved.

IX. None in *Wales*, or the Marches thereof, coming to any Seſſions or Court there, ſhall bring or cauſe to be brought thither, or to any other place within two miles thereof, or to any Town, Church, Fair, Market, or other Congregation, except upon a Hue and Cry, or into the High-way, affray of the Peace of the Kings People, any Bow, Long-Bow, Croſs-bow, Hand-gun, Sword, Staff, Dagger, Halbert, Moreſpike, Spear, or any other Weapon, Privy-Coat or Armour, in pain to forfeit the ſame, unleſſe it be by the Command or Licence of the Juſtices, a Steward, or other Officer, or of the Commiſſioners or Council there.

X. None, without the Commiſſioners Licence in writing, ſhall within *Wales*, or in the Counties thereto adjoyning, require or levy any *Amobyr Bydal*, Tenants Ale, or other collection, or exact any mony, goods, or other thing, under colour of marriage or ſuffering of their children ſaying or ſinging their firſt Maſſes, or Goſpels of any Prieſts or Clerks, or for the Rememption of any Murder, or other felony, or for any other cauſe whatſoever, or ſhall make or procure

to be made any games of running, wraſtling, leaping, or any other games, the game of ſhooting only excepted, in pain to ſuffer a year's impriſonment, and to be fined at the diſcretion of the Commiſſioners, who ſhall by this Act have power to hear and determine the ſaid offences: Neither ſhall any caſt any Arthell in any Court there, by reaſon whereof it may be letted or diſcontinued at that time, in pain to ſuffer a years impriſonment.

XI. Courts in *Wales*, and the Marches thereof, ſhall be kept in the moſt ſure and peaceable places of each Lordſhip Marcher, where the Juſtice, Steward, or other Officer thereof ſhall appoint.

XII. Juſtices of Peace and Goal-delivery in the Counties next adjoyning to *Wales*, where the Kings Writ runneth, may hear and determine the offences of counterfeiters, waſhers, clippers, or diminiſhers of Coin, and all felonies, and their acceſſaries, committed in *Wales* or the Marches thereof; And acquittal or fine making for any of the ſaid offences in any Lordſhip Marcher, ſhall be no bar for any perſon or perſons indicted for the ſame within two years next after ſuch offence committed.

XIII. The ſaid Juſtices of Peace and Gaol-delivery have power to award all manner of Proceſſe, as well of Outlawry as otherwiſe againſt every ſuch offendor, and ſhall ſend to the Lord or Officer of the Lordſhip, where the offendor is reſiant, a Certificate under the ſeals of two of them at leaſt, of any ſuch outlawry, or attainder, commanding him under the pain of 100 *l.* to be forfeited to the King, to apprehend, or cauſe to be apprehended, the body of ſuch offendor, and ſafely to keep him, until ſuch convenient time be at the next Gaol-delivery of the County, where he was ſo outlawed, as ſhall be thought fit for his conveyance thither, and then he ſhall be conveyed from marcher to marcher by the Lords or Officers thereof, to the ſaid next Seſſions of Goal-delivery of the County, where he was ſo outlawed, as aforeſaid. And here, the Lords marchers and Officers aforeſaid, by whom he is ſo to be conveyed, ſhall not be negligent therein, in pain to forfeit (each of them ſo making default) 100 *l.* to be levied to the Kings uſe: Alſo the ſaid Lords and other Officers ſhall at the ſaid Seſſions make due return of ſuch Certificate, upon the like pain: Howbeit here, all traverſes, challenges, exceptions, advantages, and all other Pleas upon any ſuch outlawry are ſaved to the offendor.

XIV. Here, an offendor attainted of Felony as principal or acceſſary, upon Surety found for the good Behaviour, may (for a time only, by the aſſent of the Preſident and two Commiſſioners) be diſcharged, and admitted to a Fine, to be levied for the King

uſe, ſo as no appeal be then depending againſt him for ſuch offences.

XV. Provided, That this Act ſhall not extend to abridg the liberty of any Lord Marchers, unleſſe ſuch offender be outlawed, or attainted by force of this Act within two years after the offence committed.

XVI. All Felonies and their acceſſaries committed in the County of *Merioneth* ſhall be inquired, heard and determined in the Counties of *Carnarvan* or *Angleſey*, before the Juſtice of *North Wales*, or his Deputy by Enqueſt of *Carnarvan* and *Angleſey*, or otherwiſe, at the diſcretion of ſuch Juſtice or his Deputy.

XVII. All Officers and their Deputies upon command of the Commiſſioners or Council ſhall bring, ſend, or deliver every offendor in Felony to the Officer of the Lordſhip marcher, or other place where the offence was committed, upon the bounds of ſuch Lordſhip, or to the ſaid Commiſſioner or Council, as ſuch Officers ſhall be commanded, in pain of 40 *l.* which command ſhall be ſent by a Serjeant at Arms, or a Purſuivant, then attendant upon the ſaid Council.

XVIII. ☞ Stat. 27 *H.* 8. 7. All the Kings Subjects and Friends may paſſe freely on horſeback or on foot, and with Cattel, Wares, or otherwiſe, through all or any of the Foreſts in *Wales*, without payment of any unlawful exactions, or ſuffering any other damage whatſoever: And no Foreſter or other ſhall commit any ſuch offence, in pain to be tryed for the ſame as Robbers, before the Juſtices of Peace of the Shire adjoyning.

XIX. Cattel, which ſtray into any Foreſt there, and are challenged within a year and a day by the right owner, ſhall be re-delivered to him upon demand; and if the Foreſter or other Officer, or other there refuſe to re-deliver them, they ſhall forfeit to ſuch owner double the value of ſuch cattel, and he may have an Action of Treſpaſſe for the recovery of them, to be tryed in the County next adjoyning; in which action like Proceſſe of outlawry ſhall be had, as in an Action of Treſpaſſe at the Common Law.

XX. Stat. 27 *H.* 8. 26. *Wales* ſhall be incorporated, united, and annexed to and with *England*, and all perſons born there ſhall enjoy the Liberties, as other Subjects in *England* do; alſo Lands ſhall deſcend there according to the Engliſh Laws, and not after the form of the Welſh Laws or Cuſtoms.

XXI. The Laws and Statutes of this Realm and none other ſhall be uſed and uſed, and executed in *Wales* in like manner, as in this Realm, and as ſhall be farther declared by this Act.

XXII. Divers Lordſhips Marchers are united to Engliſh Counties, others to Welſh Counties, and the reſidue are divided into new particular Counties by themſelves, *viz. Monmouth, Brecknocke, Radnor, Mountgomery*, and *Denbigh*.

XXIII. The County of *Monmouth* ſhall conſiſt of theſe Lordſhips, Townſhips, Pariſhes, Commotes, and Cantredes, *viz. Monmouth, Chepſtow, Matherne, Llannihangel, Magor, Goldecliff, Newport, Wenlong, Llanwerne, Caerlion, Uske, Trelecke, Tinterne, Skinfreth, Grouſmount, Whitecaſtle, Raglan, Calicote, Biſton, Abergavenny, Penraſe, Greenfield, Magh n*, and *Hochuyſtade*; all which ſaid places ſhall be hereafter guildable, and reputed as parts and members of the County of *Monmouth*, whereof *Monmouth* ſhall be reputed the Shire-town; And the Sheriff of the County ſhall keep his County-Court at *Monmouth*, and *Newport, alternis vicibus*.

XXIV. All Actions for lands and other things may be laid and ſued in the County of *Monmouth*, and tried there by Aſſize of *Nisi prius*, and *Venire facias*; and all other proceſſe may be awarded thither by the Juſtices: Alſo the Inhabitants there ſhall be obedient to the Kings Officers and Laws, and the Sheriffs and Eſcheators of the County ſhall perform their duties, and render account in the Exchequer, as is uſed in or for any other County of *England*.

XXV. The Lordſhips, Towns, &c. to be reputed members of *Brecknocke*-ſhire ſhall be *Brecknoke, Creckehowel, Tretoure*, Engliſh *Talgarth*, Welſh *Talgarth, Dians*, the *Hay, Glineboth*, [illegible] *alles, Canterbily, Lando, Blainlilby, Eſtrodew, Buoltbé*, and [illegible] Alſo the Shire-town ſhall be *Brecknoke*, and the Shire-Court ſhall be kept there.

XXVI. The Lordſhips, Towns, &c. of *Radnorſhire* ſhall be, New-*Radnor, Eliſhperman, Elvelles, Bonghted, Glaſebury, Glawdiſtre*, [illegible] *helles* Church, *Melencth, Blewagh, Knighton, Norton, Preſton*, [illegible] *mwhader, Rayder, Gwetbronzon*, and *Stonage*: Here alſo New-*Radnor* ſhall be the Shire-town, and the County or Shire-court ſhall be holden at New-*Radnor*, and *Rother Gwy* in the ſame County, *alternis vicibus*.

XXVII. Thoſe of *Mountgomeryſhire* ſhall be, *Mountgomery*, [illegible] *werkery, Cawryland, Aruſtely Kivillocke, Doythur, Powyſland*, [illegible] *lan, Baleſle, Tempceſter*, and *Alteſtre*: Whereof *Mountgomery* ſhall be the Shire-town, and the County-Court ſhall be holden there, and at *Maghentleth* in the ſame County, *alternis vicibus*.

XXVIII. Thoſe of *Denbighſhire* ſhall be *Denbyland, Ruthin*, [illegible] *Kivillethowen, Bromfield, Yale, Chirk, Chickland, Molesdale*, and [illegible] *dale*: The Shire-town alſo ſhall be *Denbigh*, and the County-Co[illegible]

ſhall be holden at *Denbigh* and *Wrexham* in the ſaid County *alternis vicibus*.

XXIX. The King ſhall yearly appoint Sheriffs, Eſcheators, and other Officers accomptants for the Counties for *Breknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, and ſhall have a Chancery and Exchequer at *Breknoke*, where the ſaid Officers of the Counties of *Breknoke* and *Radnor*, ſhall yearly accompt before ſuch Auditors, Chamberlain and Baron, as the King ſhall appoint for that purpoſe; There ſhall be alſo another Chancery and Exchequer at *Denbigh*, where the the ſaid Officers of the Counties of *Mountgomery* and *Denbigh* ſhall alſo accompt before ſuch Auditors, Chamberlain, and Baron, as aforeſaid.

XXX. Juſtice ſhall be adminiſtred and executed in the Counties of *Breknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, according to the Laws and Statutes of *England*, and ſuch other cuſtoms and laws now uſed in *Wales*, as the King and his Council ſhall allow, by ſuch Juſtice, or Juſtices, as ſhall be thereunto appointed by the King, and after ſuch manner, as Juſtice is adminiſtred in the Counties of *North-Wales*.

XXXI. In the marches of *Wales*, there ſhall be made guildable and annexed to the County of *Salop*, the Lordſhips, Towns, Pariſhes, Commotes, Hundreds and Cantredes of *Oſweſtrie*, *Woetington*, *Maſbroke*, *Knoking*, *Elleſmer*, *Down*, and *Cherbury* Hundred: Here alſo *Oſweſtrie*, *Whetington*, *Masbroke*, and *Knoking*, ſhall be known by the name of the Hundred of *Oſweſtrie*, and the Inhabitants thereof ſhall be attendant at Seſſions, Aſſizes, and Goal-delivery, as the Inhabitants of other Hundreds within the ſaid County of *Salop* uſe to do: Alſo *Elleſmer cum membris*, ſhall be united to the Hundred of *Pimhill in Com. Salop*, and the Inhabitants thereof ſhall be attendant, as aforeſaid: Likewiſe the Lordſhip of *Down cum membris*, ſhall be united to the Hundred of *Cherbury in Com Salop*, and the Inhabitants thereof ſhall give their attendance, as aforeſaid: Howbeit, neither the ſaid Hundreds of *Cherbury* or *Oſweſtrie*, nor the Lordſhip of *Elleſmer* ſhall be hereby otherwiſe priviledged, than as Hundreds annexed to the County of *Salop*, as other Hundreds be within the ſaid County.

XXXII. In like manner, the Lordſhips, Towns, Hundreds, &c. united to the County of *Hereford*, are *Ewyas Lacy*, *Ewyas Harold*, *Weſton*, *Viaſorton*, *Yerdeſley*, *Huntington*, *Whitney*, *Wigmore*, *Logharneis*, and *Stepleton*, whereof *Wigmore* and *Logharneis*, with their members ſhall be called the Hundred of *Wigmore*: and *Ewyas Lacy*, *cum membris* the Hundred of *Ewyas Lacy*; but *Ewyas Harold* ſhall be united

to the Hundred of *Webtree* in *Com. Hereford*, and *Clifford*, *Winforton*, *Teodlesly*, *Whitney* and *Huntington*, shall be called the Hundred of *Huntington*: Here also the Inhabitants shall be attendant at Sessions, Assizes, and Goal-delivery holden for the County of *Hereford*, but these Lordships, &c. shall claim no priviledge but as Hundreds, or members of Hundreds of the same County.

XXXIII. Likewise the Lordships, Towns, and Parishes of *Wollaston*, *Tidman*, and *Becheby*, and all Honours, Lordships, Castles, Lands, Tenements, and Hereditaments, lying between *Chepstow*-Bridge and *Glocestershire*, shall be annexed to the County of *Glocester*, as part thereof, and shall be parcel of the hundred of *Wesebury* in that County: Also the Inhabitants thereof shall be attendant, as aforesaid, and shall claim no priviledge but as hundreds of the hundred of *Wesebery* aforesaid.

XXXIV. *Gowerwilney*, *Bishops town*, *Landaffe*, *Signithe supra*, *Signithe subtus*, *Mirkin Ogmore Glencothney*, *Tallagarn*, *Ruchin*, *Tallavan*, *Lambelthian*, *Lantwid*, *Tyerial*, *Avan*, *Neth*, *Landway*, and the *Clay*, shall be Guildable, and united to the County of *Glamorgan*; and justice shall be administred in *Glamorganshire* (*so united*) according to the Laws of *England* (as in the three Counties of *North-Wales*) and not according to the Welsh Laws.

XXXV. *Lanemthevery*, *Abermeles*, *Redwely*, *Elkenning*, *Cornwolton*, *Newcastle*, *Emlin*, and *Abergoyly* shall be Guildable, and annexed to the County of *Caermarthen*; where also Justice shall be administred as aforesaid.

XXXVI. *Haverford west*, *Kilgaran*, *Lansteffan*, *Langherne*, *Talley*, *Tellanghern*, *Walwinscastle*, *Dewis-land*, *Lanny haddein*, *Tanfrey*, *Eisberth*, *Slebeche*, *Rosmarket*, *Castellan*, and *Lland of Loure*, shall be Guildable and annexed to the County of *Pembroke*, wherein Justice shall be administred as aforesaid.

XXXVII. *Tregaru*, *Generglin*, *Landwy* and *Urency* shall be Guildable and united to the County of *Cardigar*, and there also justice shall be administred as aforesaid.

XXXVIII. *Mountway* shall be Guildable, and annexed to the County of *Merianeth*, in *North-Wales*, as a commote, or part thereof.

XXXIX. All Justices, Commissioners, Sheriffs, Coroners, Escheators, Stewards, and their Lieutenants, and all other Officers and Ministers of Law shall proclaim and keep Sessions, Courts, Hundred-Leets, County-courts, and all other Courts in the English-tongue, and all oaths of Officers, Juries, and Enquests, and all Affidavits, Verdicts,

dicts, and Wagers of Law shall be given and done in the same Tongue.

XL. None that use the Welsh Language, shall have or injoy any office or fees in any of the Kings Dominions, but shall forfeit them unlesse he use the English.

XLI. The Sheriffs of *Monmouth*, *Brecknoke*, *Radnor*, *Mountgomery* and *Denbigh*, shall put every unruly person under common Mainprize, as the Sheriffs of the three Counties of *North-Wales* use to do.

XLII. The Sheriff of *Monmouth* shall certifie such recognizances, common mainprize, and surety of apparance at every quarter Sessions of that County, and the persons so bailed shall appear at the two Sessions holden at *Easter* and *Michaelmas*, untill they be released.

XLIII. The Sheriffs of *Brecknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, shall certifie such Recognizances, *&c.* before such Justice as the King shall appoint, at every Sessions to be holden in the said Counties.

XLIV. All persons under bail for appearance in the Counties of *Brecknoke*, *Radnor*, *Mountgomery*, *Denbigh*, *Glamorgan*, *Caermarthen*, *Pembroke*, and *Cardigan*, (either by the Sheriffs or Justices of those Counties) shall appear before the said Justices at every Sessions, as is used in the three Counties of *North-Wales*.

XLV. The lay and temporal Lords Marchers shall have the moyety of every such Recognizance forfeited within their respective Precincts, to be paid them by the Sheriff, (if he can levy them) who is also to answer the other moyety to the King in the Exchequer upon his account.

XLVI. The Lord Chancellor shall (forthwith after this Parliament) direct a Commission under the great Seal for the division of the Counties of *Caermarthen*, *Pembroke*, *Cardigan*, *Monmouth*, *Brecknoke*, *Radnor*, *Mountgomery*, *Glamorgan* and *Denbigh*, into convenient Hundreds to be returned into the Chancery, and there to remain of Record, which shall be of like force as an Act of Parliament.

XLVII. Commissions also shall issue forth to inquire after the Welsh Laws and Customs, and such of them as shall be thought fit (by the King and Council) to be continued, shall stand and be in full force, notwithstanding this Act.

XLVIII. Two Knights for the County, and one Burgesse for the Borough of *Monmouth* shall be chosen to serve in Parliament.

XLIX. Also, one Knight shall be chosen for each County of *Brecknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, and for every other County

in *Wales*, and for every Burrough, being a Shire-town, (except the Shire-town of *Merioneth*) one Burgeſs.

L. The ſaid Knights and Burgeſſes ſhall be elected, and enjoy like priviledges and fees, as Knights and Burgeſſes of *England*: And the Knights fees ſhall be levied of the Commons of each County, and thoſe of the Burgeſſes, as well of the Shire-towns, whereof they be Burgeſſes, as of all other ancient Burroughs within the ſaid reſpective Counties.

LI. All Lords Marchers ſhall enjoy all ſuch liberties, miſes, and profits as they had, or uſed to have at the firſt Entry into their lands in times paſt, notwithſtanding this Act.

LII. The Laws and Cuſtoms of the three Counties of *Northwales*, and of the County Palatine of *Lancaſter* are ſaved.

LIII. This Act ſhall not extend to derogate any other Act heretofore made for the trial of treaſon, murther, or felony, or acceſſaries thereunto, committed in any Lordſhip Marcher in *Wales*, or in any Court of *England* next adjacent thereunto.

LIV. Lands by the Cuſtom partable amongſt males ſhall ſo continue, notwithſtanding this Act.

LV. The King hath power (within three years) to ſuſpend or repeal this Act: As alſo (within five years) to erect as many Courts (of Record or others) and to appoint as many Juſtices and other Officers in *Wales*, as he ſhould think fit.

LVI. Stat. 33 H. 13. *Hope*, *Aſaph*, *Hawarden*, *Modeſdale*, *Mereford* and *Oſeley*, ſhall be reputed to be within the County of *Flint*, as part thereof, and not in any other County. Howbeit, they ſhall pay their taxes with the Inhabitants of ſuch Shire or Shires, as hath been formerly accuſtomed.

LVII. Alſo *Hope*, *Modeſdale*, *Mereford*, *Oſeley* and *Hawarden*, ſhall be called the Hundred of *Modeſdale*, in the County of *Flint*; and *Aſaph* ſhall be reputed parcel of the Hundred of *Ruthland* in the ſame County.

LVIII. Stat. 34, 35 H. 8. 26. *Wales* ſhall be divided into twelve Counties, whereof eight were ancient Counties, *viz.* *Glamorgan*, *Carmarthen*, *Pembroke*, *Cardigan*, *Flint*, *Carnarvan*, *Angleſey* and *Merioneth*; alſo four other were made by the Stat. of 27 H. 8. 26. viz. *Radnor*, *Brecknock*, *Montgomery* and *Denbigh*, beſides the County of *Monmouth*, and divers Lordſhips united to the Counties of *Salop*, *Hereford* and *Glouceſter*.

LIX. The limitation of Hundreds lately made within the ſaid Counties by Commiſſion out of the Chancery, and again returned hither, ſhall ſtand in force, except ſuch of the ſame, as have

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been since altered by any Act, and shall be altered by this.

LX. There shall remain a President and Council in *VVales*, and the Marches thereof, with officers and incidents thereunto as hath been used, which President and Council shall hear and determine such causes, as shall be assigned to them by the King, as heretofore hath also been used.

LXI. Sessions shall be kept twice a year in the Counties of *Glamorgan*, *Brecknoke*, *Radnor*, *Caermarthen*, *Pembroke*, *Cardigan*, *Montgomery*, *Denbigh*, *Carnarvan*, *Fliat*, *Merioneth*, and *Anglesey*, which Sessions shall be called the Kings great Sessions.

LXII. The Justices of *Chester* shall hold Sessions twice a year in the Counties of *Denbigh*, *Fliat*, and *Montgomery*, for his old Fee of 100 *l. per annum*.

LXIII. The Justices of *North-Wales* shall do the like in the Counties of *Carnarvan*, *Merioneth*, and *Anglesey*, and shall have a Fee of 50 *l. per annum*.

LXIV. A person learned in the Law (to be appointed by the King) shall be Justice in the Counties of *Radnor*, *Brecknoke*, and *Glamorgan*, and shall likewise hold Sessions twice a year, and have for his Fee 50 *l. per annum*.

LXV. Another such person (to be appointed as aforesaid) shall be Justice in the Counties of *Caermarthen*, *Pembroke*, and *Cardigan*, and shall hold Sessions, and have fee as aforesaid.

LXVI. The said Justices shall have Commissions under the great Seal for their Offices, to be executed by themselves or their Deputies.

LXVII. These Justices may hold pleas for the Crown, in as large manner as the Lord chief Justice, or the other Justices of that Bench may do, and also pleas of Assizes, and all other pleas & actions, real, personal and mixt, in as large manner as the Chief Justice of the Common Pleas, or the other Justices of that Court may do.

LXVIII. They shall also enquire, hear, and determine, all criminal offences whatsoever, committed within their several limits, and administer common Justice to all the Kings Subjects there, according to the Laws, Statutes, and Customs of *England*, and this present Ordinance.

LXIX. The said Sessions shall each of them hold six days, as hath been used in North-*wales*, and notice thereof shall be given (by the Proclamation) fifteen days (at least) before they keep the same.

LXX. Dayes shall be given in all Pleas, Plaints, Process, and adjournments from day to day, and Sessions to Sessions, at the discretion

cretion of the ſaid Juſtices, for the good and ſpeedy adminiſtration of Juſtice.

LXXI. The Seal for the three Counties of North-*wales*; viz. *Merioneth*, *Carnarvan*, and *Angleſey*, ſhall remain in the cuſtody of the Chamberlain of North-*wales*. The Seal of *Carmarthen*, *Pembroke*, and *Cardigan*, with the Chamberlain of South-*Wales*. That for *Breknoke*, *Radnor*, and *Glamorgan*, with the Steward and Chamberlain of *Breknoke*. That for *Denbigh* and *Mountgomery* with the Steward and Chamberlain of *Denbigh*. And that for *Flint* with the Chamberlain of *Cheſter*.

LXXII. The ſaid Stewards and Chamberlains ſhall with the Seals, ſeal all Original Writs and Proceſs, returnable before the Juſtices at the Seſſions as aforeſaid, and ſhall anſwer the profits thereof to the King: But none of them, or any Chancellor ſhall by occaſion of keeping ſuch Seals, compell any perſon, inhabiting in any of the ſaid 12 Shires, to appear before themſelves or their Deputies, or hear or determine any pleas or cauſes whatſoever, otherwiſe then as by this Ordinance is limited: And ſuch writs and proceſs ſhall be returned before the ſaid Juſtices, as hath been uſed before the Juſtice of North-*Wales*.

LXXIII. All that ſhall be Stewards, Chamberlains, or Chancellors within any of the ſaid twelve Shires, having Offices of Receipt, Collection, or account of any of the Kings Rents, Revenues, or profits there, may direct proceſs under the ſaid Seal (being in their charge) within the limits of their Authorities, againſt Bailiffs, Reeves, Farmers, and other Miniſters accomptant, to appear before themſelves for any ſuch Rents, Revenues, Farms, or profits, as hath been heretofore uſed: But for nothing elſe, nor to any other perſon.

LXXIV. The Stewards alſo may hold Leets, Law-dayes, or Court Barons of the Lordſhips whereof they are Stewards, and alſo pleas by plaint under 40 s. in every ſuch Court-Baron, and have and enjoy all authorities and profits thereunto belonging, notwithſtanding any Law or Cuſtome in *Wales* to the contrary: Howbeit neither they, nor Sheriffs ſhall have power to enquire of Felonies in any ſuch Leet, Law day, or turn: Neither ſhall they keep any Leet, or Law-day, but ſuch places where they were uſed to be kept, before the Statute of 26 H. 8. 6. So as the place be convenient for the keeping of ſuch Courts.

LXXV. Mayors, Bailiffs, and Head-Officers of Corporate Towns in *Wales* may hold pleas, and determine Actions; ſo as they obſerve the Laws of *England*, and not *Welſh* Laws or Cuſtoms: They may alſo

alſo try iſſues by ſix men (as in divers places hath been uſed) notwithſtanding this Act.

LXXVI. The King may within ſeven years diſſolve Boroughs in *Wales*, and erect others there by his Letters Patents.

LXXVII. Officers certain fees (appearing in the Kings Letters Patents) ſhall continue, but not their caſual fees, claimed by colour of their Offices, any Cuſtome in *Wales*, or this Act to the contrary notwithſtanding.

LXXVIII. Each Juſtice ſhall alſo have a judicial Seal to ſeal all bills and judicial proceſſes ſued before them in the Seſſions, whereof the firſt ſhall remain with the Juſtice of *Cheſter*, for *Flint*, *Denbigh*, and *Mountgomery*: The ſecond with the Juſtice of North-*Wales*: The third with the Juſtice of *Glamorgan*, *Brekenoke*, and *Radnor*: And the fourth with the Juſtice of *Pembroke*, *Carmarthen*, and *Cardigan*: Alſo every ſuch Juſtice ſhall accompt and anſwer to the King the profits of the Seal in his cuſtody, as ſhall be hereafter declared: And the *Teſte* of every bill and proceſs, that paſſeth under ſuch Seal, ſhall be under the name of the Juſtice that iſſueth it out, as is uſed in the Common Pleas in *England*.

LXXIX. All Actions real and mixt, attaints, conſpiracies, Aſſizes, *Quare Impedit*, appeals of murder and felony, and all actions grounded upon any Statute, ſhall be ſued by Original Writs ſealed with the Original Seal, and returnable before the Juſtices at their Seſſions; but all perſonal actions, as debt, detinue, treſpas, account, and the like, amounting to the ſum of 40 s. or above, ſhall be ſued by ſuch Writs Original, or by bills, at the election of the Plaintiff as is uſed in North-*Wales*.

LXXX. All perſonal actions under the ſum of 40 ſhillings, may be ſued by Original Bill, (as is alſo uſed in North-*Wales*) ſealed by the Judicial Seal remaining in the cuſtody of the Juſtice.

LXXXI. The Fee for ſealing every original Writ upon the cauſes aforeſaid, and for every Bill in Actions perſonal (when the debt and damages amount to 40 s. or above) is ſix pence, and for every judicial proceſs, ſued upon any ſuch original Writ, or bill ſeven pence, whereof the King ſhall have ſix pence, and the Juſtice one penny. And for every bill in perſonal actions, when the debt and damages amount not to forty ſhillings, and for every judicial proceſs to be ſued upon the ſame, 3 d. whereof the King is to have 2 d. and the Juſtice 1 d.

LXXXII. All Writs of *Scire facias* and writs of *Good Abearing*, or for the Peace or writs of *Superſedeas* upon the ſame, and all other proceſs ſued before the Juſtices upon any Record or Suggeſtion

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ſhall be ſealed with the Judicial Seal, for which the Plaintiff ſhall pay ſeven pence; whereof the King is to have ſix pence, and the Juſtice 1 d.

LXXXIII. Every exemplification upon any Record ſhall be Sealed by the Judicial Seal, for which the Plaintiff ſhall pay 20 pence, whereof the King is to have 16 pence, and the Juſtice four pence.

LXXXIV. Recoveries and Fines, Concords and Warrants of Attorney for the ſame, may be taken before the ſaid Juſtices of lands, tenements, and hereditaments within their authority, by force of his general Commiſſion without any *dedimus*, as is uſed before the Chief Juſtice of the Common Pleas.

LXXXV. All fines levied before any of the Juſtices with Proclamation made the ſame Seſſions: it ſhall be engroſſed, and in two other great Seſſions then next following, ſhall be of the ſame force, as Fines levied with Proclamations before the Juſtices of the Common Pleas.

LXXXVI. Every perſon ſuing Writs of Entry in the *Poſt*, or Writs of Covenant, or any other Writs, for any recovery to be had (by aſſent or otherwiſe) or for any fine to be levied, ſhall pay fines to the Kings uſe for the ſame (as well fines *pro licentia concordandi*, and all other fines) as is uſed in Chancery or elſewhere in the Kings Courts of *England*, which fines ſhall be paid to ſuch perſons as ſhall ſeal the Original Writs for that purpoſe, who ſhall accompt for the ſame, as they do for the profits of the ſaid Original Seal.

LXXXVII. Alſo, the Kings ſilver (upon every ſuch fine) ſhall be paid, as is uſed in the Common Pleas of *England*, *viz.* 2 s. and ſhall be received by the Juſtice, before whom ſuch fine is levied, whereof the King ſhall have 16 d. the Prothonotary for entring it, 2 d. and the Juſtice the reſt, who ſhall accompt for the Kings profit, as he doth for the profits of the Judicial Seal.

LXXXVIII. The four ſaid Juſtices ſhall have each of them a Prothonotary to attend upon them, for the entring of all Pleas, Proceſs, and matters of Record in Seſſions, to be holden before the ſaid Juſtices.

LXXXIX. There ſhall be a Marſhal and a Crier in every of the ſaid Circuits to be named by the ſaid Juſtices or Juſtices as Aſſize in *England* uſe to do, which Officers ſhall attend upon the ſaid Juſtices in their Circuits in proper perſon, and not by Deputy.

XC. The Marſhall ſhall have upon every Judgment, and every fine 4 d. and the Cryer 1 d. and the like fees ſhall be paid upon the acquittal of felons, and of ſuch as be delivered by Proclamation, or out of common mainprize.

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XCI. Here also are set down the fees that the Prothonotaries shall take for Writs, Entries, Judgements, &c. *For which see the Statute at large.*

XCII. The King shall have all fines, issues, amerciaments, and recognizances forfeited, which the Prothonotaries shall yearly estreat into the Exchequer appointed for that limit, that Process may be awarded to the Sheriff to levie them for the Kings use, which Sheriffs shall yearly accompt before the Kings Auditors, to be thereunto assigned.

XCIII. Besides the President, Council, and Justices aforesaid, there shall be Justices of Peace and *Quorum*, and also one *Custos Rotulorum* in every of the said 12 Counties, who shall be appointed by the Chancellor of *England* by Commission under the Great Seal, with the advice of the President, Council, and Justices aforesaid, or three of them, whereof the President to be one.

XCIV. There shall not be more then 8 Justices of Peace in any of the said 12 Shires, besides the President, Council, and Justices, aforesaid, and the Kings Attorney and Sollicitor, all which persons shall be also put in every such Commission.

XCV. These Justices of Peace shall be of good name and fame, and may exercise their Office, albeit they have not 20 *l. per annum*, or be not learned in the Law; but before they shall execute their Commission, they shall take such Oath, as Justices of Peace in *England* use to take, before the Chancellor of *England*, or else before the President, or one of the same Justices of *Wales* by *Dedimus*, or before some other to be appointed by the Lord Chancellor for the purpose.

XCVI. The said Justices of Peace, or two of them at least (1. *Qu.*) shall keep their Sessions four times in the year, and at other times also upon urgent cases, as Justices of Peace in *England* use to do; for which they shall also have such allowances for themselves and their Clerks, as the Justices in *England* have.

XCVII. Here, the Fee for a Warrant of the peace or good abearing is 6 d. for entring of pledges to pay the King a fine upon an indictment 9 d. and if it be with protestation 12 d. for a *Supersedeas* 8 d. and for a recognizance 12 d.

XCVIII. These Justices of Peace shall certifie Recognizances taken before any of them for the peace and good abearing, into the next Sessions: but recognizances taken before them for suspition of Felony shall be certified before the Justices at the next great Sessions without concealing them, upon such penalties, as be therefore ordained.

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XCIX. All Fines and Amerciaments loſt before the Juſtices of Peace ſhall be aſſerted by two of them at leaſt (1. *Qu.*) and ſhall be duly ſet without partiality.

C. All ſuch fines and amerciaments, as alſo all iſſues loſt, forfeited recognizances, and other forfeitures before the ſaid Juſtices of Peace ſhall be yearly eſtreated by the Clerks of the Peace into the Exchequer, appointed for that limit; to the end that proceſſes may be thereupon awarded for the levying of them for the Kings uſe to the Sheriff of every County, who ſhall account before ſuch Auditors as ſhall be thereto aſſigned, which Auditors ſhall make due allowance unto the Sheriffs upon their accompts, for the fees of the Juſtices and Clerks of the Peace, as is uſed in in *England*.

CI. The Preſident, Council, and Juſtices of *Wales*, or three of them at leaſt (whereof the Preſident to be one) ſhall yearly nominate three able perſons in every of the ſaid twelve Shires, to be Sheriffs thereof, and ſhall certifie their names to the Lords of the Privy Council *Craſt. Animarum*, to the end the King may appoint one of them in every of the ſaid Shires, to be Sheriff for that year, like as is uſed in *England*: And thereupon the ſaid Sheriff ſhall have their Patents under the Great Seal of *England*, and ſhall make oath and acknowledge recognizances before the Preſident and Juſtices, or one of them by a *Dedimus*, for the due Execution of their Offices, and for their juſt accompt before the Kings Auditors aſſigned for *Wales*.

CII. The ſaid Sheriffs have power to uſe their Offices, as Sheriffs of *England* do; ſhall be obſervant to all lawfull commands and Precepts of the Preſident, Council, Juſtices of *Wales*, Juſtices of Peace, Eſcheators, and Coroners, and every of them in all things appertaining to their Offices; ſhall yearly accompt to the Auditor or Auditors; aſſigned by the King for *Wales*, and ſhall each of them have yearly for his fee 5 *l.*

CIII. All Officers and other perſons in *Wales* ſhall be obedient, attendant, and aſſiſting to the Preſident, Council, and Juſtices of *Wales*, and ſhall obey the Kings commands and proceſs, from any of them directed, and all lawful and reaſonable precepts of them and every of them; and alſo ſhall be obedient to all Juſtices of Peace, Sheriffs, and Eſcheators, within their ſeveral limits in all things appertaining to their duties and offices.

CIV. Alſo Eſcheators ſhall be named in every of the ſaid Counties by the Treaſurer of *England*, with the advice of the Preſident, Council, or three of them, whereof the Preſident to be one; which

Eſcheators

Eſchеators ſhall make oaths and acknowledge Recognizances before the Preſident, or one of the Juſtices, by a *Dedimus*, for the due execution of their Offices, and for their true account before the Kings Auditor, or Auditors, to be aſſigned for that purpoſe, which oath and recognizance ſhall be agreeable to thoſe uſed for Eſcheators in *England*.

CV. Such Eſcheators ſhall yearly have their Patents under the Great Seal, and ſhall exerciſe their Offices as Eſcheators in *England*, and ſhall be bound to all Laws and Statutes of *England*: But they need not have above 5 *l. per annum* free-hold, and ſhall accompt yearly before ſuch Auditor or Auditors as the King ſhall aſſign for *Wales*.

CVI. There ſhall be alſo two Coroners elected for each of the ſaid 12 Shires, by the Writ *De Coronatore Eligendo*, awarded out of the Chancery of *England*; which Coroners ſhall exerciſe their Offices, and have like fees as in *England*: Only the Writ *de Cor. elig.* for the County of *Flint* ſhall be directed out of the Exchequer of *Cheſter*.

☞ CVII. The Juſtices of Peace or two of them (1. *Qu.*) ſhall appoint in every hundred (within their limits) two ſubſtantial Gentlemen or Yeomen to be chief Conſtables of the Hundred, where they dwell, who ſhall preſerve the Peace, and uſe their Offices, and be bound in all things, as High Conſtables in *England*.

CVIII. The Sheriff ſhall have a Goal in a place of the Caſtle of the Shire-town, or ſuch other convenient place, as by the Preſident, Council, and Juſtices, or three of them (whereof the Preſident to be one) ſhall be appointed, any Patent or Grant notwithſtanding. The Sheriff alſo ſhall make Bailiffs of the Hundred, who ſhall attend upon the Juſtices at their Courts and Seſſions.

CIX. Sheriffs ſhall keep their Counties Monthly, and their Hundred Courts for pleas, under 40 *s.* & ſhall take for entring of plaints proceſs, pleas, and judgements there, as is uſed in *England*, and not above. Alſo all tryals in ſuch Courts, as before Stewards in Court Barons, ſhall be by Wager of Law, or verdict of ſix men, at the election of the party, Plaintiff, or Defendant, that pleads the plea.

CX. Sheriffs ſhall hold their Turns yearly after *Eaſter* and *Michaelmas*, as is uſed in *England*.

CXI. The King ſhall have all Fines, Iſſues, Amerciaments, and Forfeitures loſt in the ſaid Courts and Turnes, to his own uſe, and the Sheriff ſhall account for the ſame accordingly, having been firſt offered by the Juſtices of Aſſize of that Circuit, before they be levied; And the Sheriff ſhall not levy them before they be ſo offered,

in

in pain to forfeit to the King 40 *s.* Alſo the Sheriff upon every Judgement in his County or Hundred Court, may award a *Capias ad ſatisfaciendum*, or a *Fieri facias*, at the election of the Plaintiff.

CXII. Certain Fees, which the Sheriff is to have for the return and execution of divers writs, *For which ſee the Statute at large.*

CXIII. Every Sheriff within this limit may put ſuſpitious perſons under common main-priſe, according to the Statute of 37 H. 8. 26. (*which ſee before*) binding them with two ſufficient Sureties by recognizance, to appear before the Juſtices at the next great Seſſions, and ſhall then alſo certifie the names of the parties ſo bound, without concealment.

CXIV. The Sheriffs Fee for taking ſuch common main-priſe, is 2 *d.* but he ſhall take no fee for the return of any writ of execution, unleſs he return the ſame executed.

CXV. The Fees of Sheriffs, Eſcheators, and Coroners, and their Miniſters, Prothonotaries, and their Clerks, and other Miniſters of Juſtice in *Wales*, ſhall be rated, augmented, and diminiſhed by the Preſident, Council, and Juſtices, or three of them, whereof the Preſident to be one, from time to time at their diſcretions.

CXVI. None for murder or felony ſhall be put to his fine, but ſuffer, according to the Laws of *England*, except it pleaſe the King to pardon him; And if the Juſtices ſee cauſe of pity, or other conſideration, they may reprieve the priſoner, till they have advertiſed the King of the matter.

CXVII. The Statute of the 26 H. 8. 6. (*which ſee before*) is confirmed, notwithſtanding this Act; and from henceforth ſhall be put in execution.

CXVIII. *Abertannad* heretofore reputed parcel of the County of *Merioneth*, ſhall now be annexed to *Salop*, and be reputed parcel of the Hundred of *Oſweſtry*.

CXIX. If any forreign plea, or voucher be pleaded, or made before any of the Juſtices of *Wales*, tryable in any other County in *Wales*; in this caſe, the ſaid Juſtice ſhall ſend the Kings Writ, with a tranſcript of the Record, unto the Juſtice of the County where the matter is triable, commanding him to proceed to the tryal thereof, according to Law, which tryal being had, he ſhall remand it with the whole record unto the Juſtice that ſent it, who thereupon ſhall proceed to Judgement, as the cauſe ſhall require: but if ſuch plea or voucher be tryable in *England*, the Juſtice of *Wales*, before whom they are pleaded or made, may proceed to tryal thereof in ſuch County of *Wales*, where they are ſo pleaded or made, ſuch forreign plea or voucher notwithſtanding.

All

CXX. All Lands, Tenements, and Hereditaments in *Wales*, and in the Lordſhips and places annexed (by the Statute of 27 H. 8. 26.) to the Counties of *Salop*, *Hereford*, *Glocester*, or any other Shires ſhall be Engliſh tenure, and not partable amongſt heirs males, according to the Cuſtome of *Gavelkind*.

CXXI. No Mortgages of lands, &c. made in any of the ſaid Counties or places, ſhall be hereafter allowed or admitted otherwiſe, than after the courſe of the Common-Law and Statutes of *England*.

CXXII. It ſhall be lawful for all perſons to alien their Lands, &c. in *Wales*, the County of *Monmouth*, and other places annexed as aforeſaid, from them and their heirs to any perſon or perſons in Fee-ſimple, fee-tail, for life, or years, according to the Laws of *England*, notwithſtanding any Welſh Law or Cuſtome to the contrary.

CXXIII. If any perſon having lands in *Wales* be bound in *England* by a Statute-Staple or Recogniſance, and pay not the debt accordingly; in ſuch caſes, upon certificate into the Chancery of *England*, Proceſſes ſhall be made to the Sheriffs of *Wales* out of the ſaid Chancery, for the due levying of the ſaid debt, as is uſed in *England*: Howbeit, for ſuch Recognizances as are taken in the Kings Bench, or Common Pleas of *England*, Proceſſes ſhall be purſued immediately from the Juſtices of the ſaid Courts, as in *England* alſo uſed.

CXXIV. All ſuch Writs, Bills, Plaints, Pleas, Proceſs, Challenges, and Trials, ſhall be uſed throughout all the Shires aforeſaid, as are uſed in North-*Wales*, or as ſhall be deviſed by the Preſident, Council and Juſtices, or three of them, whereof the Preſident to be one.

CXXV. Where there ſhall be ſome Suits in Pleas perſonal, which cannot be well tryed before the Juſtices in the great Seſſions, for ſhortneſs of time, ſuch iſſues may be tryed at the petty Seſſions before the Deputy-Juſtices, as is uſed in the three Counties of North-*Wales*, ſave only for ſuch Suits, as by the diſcretion of the ſaid Juſtices ſhall be neceſſary to be tryed before themſelves: Howbeit, there ſhall be no ſuit taken before any of the ſaid Juſtices by Bill, under the ſum of 20 s.

CXXVI. No other Liberties, Franchiſes, or Cuſtoms ſhall be uſed or claimed in any Lordſhip, which was anciently part of *Wales* (whoſoever be owner or owners thereof) but only ſuch as be given to the Lords thereof by force of the Statute of 27 H. 8. 26. and not altered by this Act, notwithſtanding the Stat. of 32 H. 8. 20. *which ſee in Franchiſes*.

CXXVII. If any murther or felony be committed in *Wales*, the party or parties grieved shall make no agreement with the offender, or with any other in his behalf, unless he first acquaint the President, Council, or Justices therewith, in pain of imprisonment and grievous fine at the discretion of the President, Council, and Justices, or two of them, whereof the President to be one; the like punishment also they shall incur, that labour or procure such agreement, although it never take effect.

CXXVIII. If any person, or they whose estate he hath, have peaceable possession of Lands in *Wales* by the space of 5 years, without interruption or lawful claim, such person shall continue the same, untill they be recovered from him by law or decree of the President or Council there.

CXXIX. If in personal actions pursued before the Justices nine of the Jury be sworn, and the residue make default, or be tryed out, in that case the Sheriff may return other names *de circumstantibus*, untill the Jury be full, as is used in North-*Wales*, and elsewhere in such cases.

CXXX. No sale of goods or cattel stollen in *Wales*, and sold in any Fair or Market there, shall alter the propriety thereof, such sale notwithstanding.

CXXXI. No person shall buy any quick cattel in *Wales* out of the Fair or Market, unless he can produce credible witness of the person, place, and time, he so bought the same, in pain of such punishment and fine, as shall be set by the President and Council, or any of the Justices in his Circuit, and to answer it at his further peril.

CXXXII. If any goods or cattel be stollen in *Wales*, the trod shall be followed from Town to Town, and Lordship to Lordship according to the Laws and Customs heretofore used in *Wales*, upon such penalty as hath been heretofore accustomed.

CXXXIII. Any man (being a Freeholder) may pass upon a Jury in all causes both criminal and civil, attaint only excepted, saving to every man his lawful challenge, according to the Laws of *England*: Howbeit none shall pass in attaint, unless he have Freehold of 40 s. *per annum*.

CXXXIV. Tenants and resiants in *Wales* shall pay their Tallage at the change of their Lords in such places, and after such form, as hath been accustomed in *Wales*.

CXXXV. The Kings Subjects in *Wales* shall find at the Parliaments in *England*, Knights for the Counties, and Citizens and Burgesses for the Cities and Towns, to be chosen by the Kings Writ according

according to the Statute of 27 H. 8. 26. and shall also be chargeable to all Subsidies, and other charges granted by the Commons of the said Parliaments, and pay all other rents, farms, customs, and duties to the King, as hath been accustomed, fines for redemption of Sessions only excepted, which the King is pleased to remit.

CXXXVI. *Haverford*-west shall find one Burgess for that Town, whose charges shall be born by the Mayor, Burgesses, and Inhabitants of the said Town, and by none other.

CXXXVII. The King shall have all Felons goods, goods of persons outlawed, Waifs, Estrays, and all other forfeitures and escheats, and shall be answered thereof by the Sheriffs, saving the right of all others having lawful title thereto.

CXXXVIII. Errours and Judgments before any of the Justices in their great Sessions, in Pleas reall and mixt shall be redressed by Writ of Errour out of the Chancery of *England*, returnable before the Justices of the Common-Pleas, as other Writs of Errour be in *England*: but Errors in Pleas personal shall be reformed by Bill, before the President and Council; and if the Judgment be affirmed good, in any of the said Writs or Bills, then there to make execution, and all other proceſs thereupon, as is used in the Kings Bench of *England*, and that the Plaintiff in every such Writ or Bill, pay for the same like Fees as is used in *England*.

CXXXIX. No execution of any Judgment given in any base Court, shall be stayed by reason of any Writ of false Judgment, but execution may be had at all times before the reversal of such Judgment; and if such Judgment shall after be reversed, the Plaintiff shall be restored to what he hath lost by such Judgment.

CXL. All proceſs for urgent and weighty causes, shall be directed into *Wales* by the Chancellor of *England*, or any of the Kings Council, as heretofore hath been used notwithstanding this Act.

CXLI. The Town of *Bewdly* in the Parish of *Ribsford*, *in Com. Wigorn.* is made parcel of the County of *Wigorn*, and united to the Hundred of *Dodingtree* in that County, saving to the Burgess and Inhabitants of *Bewdly* their antient Liberties and Franchises.

CXLII. *Llanstiffan*, *Usterloys* and *Langham*, with their members, are united to the County of *Caermarthen*, and made parcel of the Hundred of *Derries* in that County.

CXLIII. The Shire-Court of the County of *Radnor* shall be holden one time at New *Radnor*, and another time at *Preston*, *alternis vicibus*, and never at *Rather Goway*, notwithstanding the Statute of 27 H. 8. 26.

CXLIV. The Kings Farmer of the Subsidy and Aulnage of woollen Cloaths in the County of *Monmouth*, and the other twelve Counties of *Wales*, shall take for sealing such cloths as followeth, *viz.* for every whole piece of Frise 1 *d.* a half piece, *ob.* a piece of cotton or lining, (24 yards and under) *ob.* a piece of the same (above 24 yards) 1 *d.* a broad cloth, 1 *d.* a piece of Kersey, (18 yards or above) 1 *d.* and for a piece of Kersey, (under 18 yards) *ob.* Howbeit this shall not extend to cloth made in private houses, and not put to sale, but to their servants.

CXLV. The Aulnager in *Wales* shall be bound and subject to the Laws and Customs of *England*, in like case provided.

CXLVI. The Town of *Haverford*-west is made a County of it self, whose Justice shall be the Justice of the County of *Pembroke*, and the judicial seal of *Pembrokeshire* shall be also used there, with divers other priviledges: *for which see the Statute at large.* Howbeit, this Article was but to continue in force during the Kings pleasure.

CXLVII. This Act shall not be prejudicial to any mans Inheritance, nor to any of the Kings Officers, for their Offices or Fees.

CXLVIII. No Land in *Wales* shall be *Gavelkind*, but discendible according to the course of the Common Law.

CXLIX. All Liberties of the Dutchy of *Lancaster* shall continue as they were before the making of this Act.

CL. **Stat.** 1 2. *P. M.* 15. As well Spiritual Lords Marchers and their Successors, as the heirs and successors of Temporal Lords Marchers now being, or which shall hereafter be Lords Marchers of Lordships Royal in *Wales*, shall have and enjoy the one half of every forfeiture of every common mainprise, recognizance for the year, and appearance, forfeited by their Tenants inhabiting within any of their Lordships Marchers, or Lordships Royal, to be paid the same by the Sheriff of the County for the time being, as the Lay or Temporal Lords Marchers have (or ought to have) been paid the same by force of the Statute of 27 H. 8. 26. And also all such mises, profits, and liberties, as the Lords Marchers Spiritual and Temporal have respectively used in time past to enjoy, before the making of the said Statute.

CLI. **Stat.** 18 *El.* 8. The Queen and her Heirs and Successors may (at her and their pleasure) name and appoint two or more persons learned in the Law, to the Justices in each of the Circuits in *Wales*, which had but one Justice before, or may grant Commissions of Association to such person or persons to be associate to the Justice or Justices of the said Circuits, who shall have like auth-

ty and power as the one Justice had by the Statute of 34,35 H.8. 26.

CLII. By stat. 27 El. 9. All Fines and Recoveries taken or suffered in the Courts of Assizes or Sessions of the 12 Shires of *Wales*, the Town and County of *Haver-ford*-west, and the Counties Palatines of *Chester*, *Lancaster*, and *Duresme*, and in every of them, and all Writs, Returns, Warrants, and other proceedings concerning the same, now remaining, or which hereafter shall remain in the said Courts or Sessions, or in any of them, or in the custody of any of the Officers there, may (upon the request, and at the election of any person) be inrolled in Rolls of Parchments by such persons, and for such considerations, as are hereafter expressed; and such Inrolments shall be as good in force of Law (for so much as shall be so inrolled) as the same so remaining are or ought to be.

CLIII. No Fines, Proclamations, or Recoveries there, shall be reversable by Writ of Errour, for false-Latine, rasure, interlining, mis-entring of any Warrant of Attorney, or of any Proclamation, mis-returning, or not returning of the Sheriff, or other want form in words, and not in matter of substance.

CLIV. The person there that shall hereafter take the acknowledgment of any Fine, or any Warrant of Attorney, of any Tenant or vouchee for suffering any Recovery, or shall certifie them or any of them, shall with the certificate of the Concord or Warrant of Attorney certifie also the day and year, wherein the same was acknowledged, but shall not be inforced to certifie them, except within the year next after they were taken; And no Clerk or Officer there shall receive any Writ of Covenant, Writ of Entry, or other Writ, whereupon any Fine or Recovery is to pass unless the day of acknowledgment thereof shall appear by such certificate in pain of 40 l.

CLV. No Attornment upon any fine there, shall be entred upon Record, except the party mentioned to attorn, have first appeared in Court in person or by Attorney, warranted by the hand of one of the Justices of the same Court, upon any Writ of *Quid juris clamat*, *quem redditum reddit*, or *per quæ servitia*, as the cause requireth; And every attornment otherwise entred shall be void, without Writ of Error or other means to avoid it.

CLVI. There shall be in the said places an Office of Inrolments erected to continue for ever, for the inrolling of Fines and Recoveries, as aforesaid, and the Justices there shall (within their several limits) enjoy the said Office, and the disposition thereof, and carefully see to the execution of the same, by the due examination of

such enrolments, and for their pains and care therein shall have certain fees allowed them; *For which, see the Statute at large.*

CLVII. Unto every Roll by any Justice so examined, he is to subscribe his hand, in pain of 40 s. and any of the said Justices may take order in all things needful for the said Inrolment, and upon examination may in the said Courts assesse such fines and amerciaments on any Clerk, Sheriff, Attorney, or other person, for misprision, contempt, or negligence, in any thing concerning such fines and recoveries, as to them or any one of them shall seem meet; Which fines and amerciaments shall be estreated, as others use to be out of the said Courts.

CLVIII. The exemplification of any such Record of any fine or recovery thereof, or any part thereof (in the said 12 Shires of *Wales*, and the Town of *Haverford*-west) under the judicial Seal, or (in the said Counties Palatine) under the Seal of the respective County Palatine shall be of as good force, as the original record it self.

CLIX. The Justices Clerks may write out and enroll the said Records, but shall not carry them out of their offices.

CLX. No Fine or Recovery heretofore levied or suffered, shall after exemplification be amended.

CLXI. This Act shall not prejudice the heirs of Sir *Edward Gray* Knight, Lord *Powis*, or Sir *Edward Herbert* Knight, his heirs or assigns, or *Henry Vernor*, or *John Vernor* Esquires, their heirs or assigns, concerning any fine levied, or recovery suffered by or against the said Lord *Powis*, of Lands in the County of *Mountgomery*; Nor to *Henry* now Earl of *Kent*, concerning any lands in *Wales*, whereunto he pretends title.

Walsingham.

1. Stat. 35 H. 8. 13. The demesne Lands in *Walsingham*, belonging to the late Priory there, may be let by Copy, and shall hereafter be Copyholds.

Wapping Marsh.

1. Stat. 35 H. 8. 9. An Act for the Partition of *Wapping-Marsh*.

Wards.

Wards.

I. **Magna Charta**, 3. 9 H. 8. 9. The Lord ſhall take homage of the heir within age, before he have the Wardſhip, and ſuch heir after he hath been in ward, ſhall (at his full age of 21 years) have his Inheritance without relief or fine, and if the heir within age be made a Knight, yet his Land ſhall remain in Ward, untill his full age aforeſaid.

II. **Magna Charta**, 6. 9 H. 3. Heirs ſhall be married without diſparagement.

III. **Magna Charta**, 27. 9 H. 3. If any hold of the King by Fee-farm, Soccage, or Burgage, and holdeth lands of another by Knight-ſervice, the King ſhall not have the cuſtody either of the heir or land, by reaſon of the tenures in Fee-farm, Soccage, or Burgage: Neither ſhall he have the cuſtody of ſuch Fee-farm, Soccage, or Burgage, except Knight-ſervice be due to him out of ſuch Fee-farm: Alſo by reaſon of petty Serjeancy (*viz.* to pay a Knife, Arrow, or the like) the King ſhall not have the cuſtody either of the heir or land.

IV. **Merton**, 6. 20 H. 3. where heirs are led away and withholden, or married by their Parents and others, with force againſt the Peace, if a Lay-man be convict thereof, he ſhall render to the party the value of the marriage, and remain in priſon until he hath ſatisfied the ſame (if the child be married) and beſides until he hath ſatisfied the King for the treſpaſs: Howbeit, this is to be underſtood of an heir within age of 14 years.

V. If an heir 14 years old, or above, marry himſelf without licence of his Lord, to defraud him of the marriage, and his Lord offer him reaſonable and convenient marriage without diſparagement, the Lord ſhall retain the Land beyond the term of his full age, until he may receive the double value of the marriage, according to the eſtimation of lawful men, or as was offered him before without fraud or colluſion, and as it may be proved in the Kings Court.

VI. If Lords marry their heirs to Villains, Burgeſſes, or others, whereby they are diſparaged, ſuch heir being then within the age of 14 years: In this caſe upon complaint of the Wards friends, the Lord ſhall loſe his Wardſhip, and the profits thereof ſhall be (by friends) converted to the uſe of the heir; But if it be 14 years old or above, and conſent to ſuch marriage, no pain ſhall inſue.

VII. **Merton**, 7. 20 H. 3. If an heir (of what age ſoever he be:) will not marry, at the requeſt of his Lord, he ſhall not be compelled

thereunto: But when he is of full age, he shall pay his Lord (before he receive his land) as much as any would have given the Lord for the marriage: And that, whether the heir will marry himself or not; for, of right, the marriage of the heir within age pertaineth to the Lord.

VIII. Marlbr. 6. 52 H. 3. Where any enfeoff their eldest son and heirs within age of the Inheritance, with purpose to defraud the Lords of their Wardships: It is accorded, that by occasion of any such Feoffment no chief Lord shall lose his Ward.

IX. As for such as feign false Feoffments of their land, which they would deliver out for term of years, with purpose to defraud the chief Lords of their Wards, in which Feoffments is contained, that they are satisfied of the whole service due unto them, untill a certain time, so as such Feoffees are bound at the said term to pay a certain sum to the value of the same lands, or far above, so that after the end of such term, the land shall return to such Feoffors and their heirs, because no man will be content to hold it at the price: It is accorded that by such fraud no chief Lord shall lose his Ward. Howbeit, the Lords shall not disseize such Feoffees without judgement, but shall have a Writ of *Ejectione custodiæ* to recover the Ward; And when by the witnesses to the Feoffment, with other lawful men of the Country, the value of the land, and the quantity of the sum payable after the term, it shall be tryed, whether such Feoffments were made *bona fide*, or by Collusion, as aforesaid: And if the chief Lords in such cases recover their Wards by judgment, the Feoffees nevertheless may have their action to recover such term or fee (which they had therein) when the heirs come to their lawful age.

X. Where chief Lords maliciously implead such Feoffees, feigning this case, when the Feoffments were made *bona fide* in such cases, the Feoffees shall recover against the chief Lords their damages and costs, and besides, the Plaintiffs shall be punished by amerciament.

XI. Marlbr. H. 7. 52 A. 3. In a plea of *Communi Custodia*, if the deforceors come not at the great distress, that Writ shall be renewed twice or thrice, at such terms as it may be done in, within the half year following, so as at every such time the Writ may be read in open County (if the deforceor be not found before) and be there openly proclaimed, that he may appear at the day limited; and if he come not in to answer within the half year, nor the Sheriff can take his body, to answer before the Justices, according to Law; then as a Rebel and one that will not be justified, he shall lose the seisin

of

of the Ward; ſaving to him at another time his Action, if he hath right to the ſame.

XII. Howbeit, where the Wardſhip belongs to the Guardian of Wards, being within age, and where Guardians demand a Wardſhip, which belongeth to the heir, ſuch heirs (within age) ſhall not loſe their inheritance by the negligence of their Guardians, as in the caſe aforeſaid, but in ſuch caſes the Common Law ſhall run as hath been accuſtomed.

XIII. Marlb. 17. 52 H. 3. Guardians in Soccage ſhall make no waſte, ſale, or deſtruction of the heirs inheritance, but ſafely keep the ſame to the uſe of the heir, and when he cometh to age, ſhall anſwer him the iſſues thereof by a lawful accompt, ſaving their reaſonable coſts: Neither ſhall ſuch Guardians ſell the marriage of ſuch heir; but to his advantage, and the Kinſfolk, that have ſuch Ward (from the time that Writs of impleading have not been granted, *which ſeems to be by* Magna Charta 27 *See before* 3.) ſhall have ſuch Wardſhip to the heirs advantage, without making waſte, ſale, or deſtructions, as aforeſaid.

XIV. Weſt. 1. 21. 3 E. 1. Guardians ſhall keep the Lands in Ward without deſtruction, according to *Magna Charta*: ſo alſo ſhall Archbiſhopricks, Biſhopricks, Abbacies, Churches, and all ſpiritual dignities be kept in time of vacation.

XV. Weſt. 1. 22. 3 E. 1. The Statute of *Merton* 6. (before 4.) as to the marriage of heirs without their Guardians conſent, is confirmed.

XVI. The Lord may hold the land of heirs females two years after their age of 14. within which two years if he marry them not, they ſhall go quit, without giving any thing for the Wardſhip, or Marriage, and if they will not accept a convenient marriage tendered by the Lord, he ſhall hold their land till their age of 21 years and over, untill he have taken the value of the marriage.

XVII. Weſt. 2. 16. 13 E. 1. Where one holdeth ſundry lands of divers Lords by Knight-ſervice, that Lord ſhall have the marriage, by whom the childs Anceſtor was firſt enfeoffed, without having reſpect to the ſex, or the quantity of the land, but only to the more ancient Feoffment.

XVIII. Weſt. 2. 35. 13 E. 1. Where children (whoſe marriage belongeth to another) are taken away (the raviſher having no right to marriage) albeit the raviſher afterwards reſtore the child unmarried, or pay for the marriage, yet for his offence he ſhall be puniſhed by two years impriſonment: and in caſe he do not reſtore, or marry the child after years of conſent, and be not able to ſatisfie

for

for the marriage, he shall abjure the Realm, or have perpetual imprisonment, and thereupon the Plaintiff shall have a Writ of Ravishment of Ward in this form:

XIX. *Si* A. *fecerit te securum de clamore suo, &c. tunc pone per vad. &c.* B. *quod sit coram Justic. &c. ostensurus, quare talem hæredem infra ætatem existentem, cujus maritagium ad ipsum pertinet, tali loco inventum rapuit, & abduxit contra voluntatem ipsius* A. *& contra pacem nostram, &c.*

XX. If the heir be in the same County, then this clause is to be added: *Et diligenter inquiras, ubi ille hæres sit in baliva tua, & ipsum (ubicunque fuerit inventus) capias, & salvo & secure custodias, ita quod eum habeas coram præfat. Justic. nostris ad prefat. terminum, ad reddendum, cui prædictorum* A. *vel* B. *reddi debeat.*

XXI. Process shall be made against the offendor by distress, if he have whereby to be distrained, or else (for his contumacy) he shall be outlawed.

XXII. If the heir be married, or carried into another County, the Writ shall be directed to the Sheriff of that other County, in his form:

Questus est nobis A. *quod* B. *nuper talem hæredem infra ætatem & in custodia sua existentem tali loco in tali Comitatu rapuit, & de Comitatu tali ad talem locum in Com. tuo abduxit, Contra voluntatem ipsius* A. *& contra pacem nostram, &c. Et ideo tibi præcipimus, quod prædictum hæredem (ubicunque in baliva tua invenire poteris) capias & salvo & secure eum custodias; Ita quod eum habeas coram Justic. nostris, &c. tali die, quam idem* A. *habet versus prædict.* B. *ad reddendum, cui de jure reddi debeat.*

XXIII. The death of the heir (before he can be found or returned to the Plaintiff) shall not stop the Suit, nor excuse the ravisher from punishment; or if the Plaintiff die, his heir shall revive the Suit, if the right did belong unto the Plaintiff by reason of his proper fee; but if it were by gift, sale, or the like, the suit shall be revived by his Executors; or in case the Defendant die, the suit shall be re-summoned betwixt the Plaintiff, his heirs, or executors, and the Executors of the Defendant, or his heirs, if the Executors be not sufficient to satisfie the value of the marriage, but not as to the pain of imprisonment, for none shall be punished for another's offence.

XXIV. Also in a Writ *de Communi custodia*, if either party die hanging the Suit, resummons shall be made betwixt the heirs and executors of the Plaintiff; and the heirs and executors of the Defendant

ſendant, and when they have paſſed to the great diſtreſs, day ſhall be given, within which time three Counties may be holden at leaſt, in every of which proclamation ſhall be made that the deforceor ſhall appear in the Bench at the day contained in the Writ to anſwer the Plaintiff, at which day if he come not, and the proclamation be returned once, twice, or thrice, the Judgement ſhall paſs for the Plaintiff, ſaving the defendants right, if after he will claim it: The like alſo ſhall be done in a writ *de ejectione cuſtodiæ*.

XXV. The Stat. of Wards and Reliefs, 28 E. 1. where any relief is given, there Wardſhip is incident, *& contra*.

XXVI. Unto *Grand Serjeanty*, *viz.* to go with the King in his Hoſt, ward and relief are incident; but not to petty *Serjeanty*, as to bear ſhield or ſpear there.

XXVII. A free *Sokeman* ſhall neither give ward or relief, but ſhall double his rent after the death of his Anceſtor, and ſhall not be unmeaſurably grieved.

XXVIII. There are two kinds of Writs to recover Wards, *viz.* the one is where land is holden in Knight-ſervice, and the other, where it is holden in ſoccage: The Ward of Land in Knight-ſervice belongs to the Lord, and the marriage alſo (which ought to be without diſparagement) untill he attains to the age of 21 years.

XXIX. The Ward of an Heir that holdeth in ſoccage, if the land deſcended on the mothers ſide, belongs to the next friend on the Fathers ſide, *& contra*.

XXX. There are three manner of Writs to recover Wards. 1. When both the land and heir is demanded, called a Writ *de Communi cuſtodia*, and in this caſe the chief Lord ſhall recover both the Ward and marriage. 2. When the tenant hath purchaſed lands holden of ſeveral Lords, in which caſe the Lord, of whom the land laſt purchaſed is holden, ſhall neither have the land nor heir, but the Lord that firſt enfeoffed the tenant ſhall have them. 3. When one hath lands by reaſon of a Ward, but hath not the Heir, here he may have a Writ to demand the heir, and not the land; and this is called a Writ of Raviſhment of Ward.

XXXI. Prerog. Reg. 1. 17 E. 2. The King ſhall have the Ward of all lands holden of him in chief by Knight-ſervice, whereof the Tenant dyed ſeiſed (of whomſoever they hold by like ſervice, ſo as they held anciently any land of the Crown) until the Heir came to his lawful age; except the fees of the Archbiſhop of *Canterbury*, the Biſhop of *Dureſme* between *Tine* and *Tees*, fees of Earls and Barons in the Marches where the Kings writ runs not, and where ſuch Archbiſhops, Biſhops, Earls, and Barons ought to have ſuch Wards, albeit they hold of the King in ſome other place. XXXII.

XXXII. Prerog. Reg. 2. 17 E. 2. The King shall have the marriage of an heir being within age and in his Ward, whether his lands have appertained to the Crown of ancient continuance, or came by Escheat, being in the Kings hands, or by reason of another wardship, without respect of priority or posteriority of feoffment, albeit such heir held also of others.

XXXIII. Prerog. Reg. 6. 17 E. 2. If a Woman (before her ancestors death that held of the King in chief) be married before her age of consent, the King shall have the ward of her body, untill her age of consent, and then it is at her election, whether she will have him whom she first married, or him whom the King will offer her.

XXXIV. None that holds of the King in chief by Knight-service, shall (without the Kings licence) alien so much of his lands that the residue is not sufficient to do his service: Howbeit, this is not to be understood of members and parcel of such lands.

XXXV. Stat. 14 E. 3. Stat. 1. 13. After the death of the Kings tenant in chief, the Escheator shall cause to be seised into the Kings hands, the lands as to their office appertains, without doing waste in houses, Woods, Parks, Ponds, or other extortions, which may tend to the damage of the heir, and forthwith after the *Diem clausit extremum* delivered to him, shall make return thereof by a good and true extent in the Chancery.

XXXVI. After such return, if the next friends of the heir to whom the inheritance cannot descend, shall come and offer to take the said lands, untill the heir be at age, and to give for the same as much as another, without fraud, by accord of the Chancellor and Treasurer, they shall have Commission to keep them (upon good security) untill his full age, answering to the King the value thereof.

XXXVII. Howbeit, this Act shall not conclude the King from having an Action of waste against such Guardians and Farmers; the Heir also may have like Action against them, when he comes to age.

XXXVIII. Stat. 39 H. 6. 2. Women being of the age of 16 years, at the time of the death of their Ancestors, shall have livery of their lands descended to them.

XXXIX. Stat. 4 H. 7. 17. The Statute of *Marlb.* 6. 52 H. 3. (*before* 4.) is confirmed.

XL. The Lord of *Cestuy que use* (no Will of his Ancestor being declared in his life time) shall have a Writ of right of Ward for the body and the land; and the heir of *Cestuy que use* being at full age

at

at the death of his anceſtor, ſhall pay relief; the heir alſo of *Ceſtuy-que uſe* ſhall have like action of waſte, as if his anceſtor had dyed ſeiſed, and if the Lord be barred in his Writ of right of Ward, the Defendant ſhall recover damages.

The Court of Wards, *Vide* Courts, Numb. XXXIV.

Wares.

I. **Stat. 5 El. 7.** None ſhall bring or cauſe to be brought into this Realm from beyond Sea, any girdles, harneſs for girdles, Rapiers, Daggers, Knives, Hilts, Pummels, Lockets, Chapes, Dagger-blades, Handles, Scabbards, or Sheaths for Knives, Saddles, Horſ-harneſs, Stirrops, Bits, Gloves, Points, Leatherlaces, or Pinnes, being ready wrought beyond Sea, to be ſold, bartered, or exchanged in this Realm or *Wales*, in pain to forfeit the ſame or the value thereof to be divided betwixt the Queen and the Proſecutor.

Warranty.

I. **The Statute of Bigamy, 6. 4 E. 1.** In deeds conteining *Dedi & conceſſi tale tenementum*, without non-age, or any clauſe of Warranty, and to be holden of the donors and their heirs by a certain ſervice; in this caſe, the donors and their heirs are bound to Warranty: But where the deed is *dedi & conceſſi, &c.* to be holden of the chief Lord of the fee, or of other, and not of the feoffors and their heirs, reſerving no ſervice, and without homage, and the aforeſaid clauſe; here, the feoffors Heirs ſhall not be bound to Warranty: Howbeit, the feoffor himſelf during his life (by force of his own gift) is bound to warrant.

II. **The Statute of Glocester, 3 6 E. 1.** Where tenant by the curteſy aliens his Wives land, his ſon (having no *aſſets* by deſcent) ſhall not be barred to recover the land by a Writ of *Mortdanceſter*, of the ſeiſin of his mother; albeit his fathers deed mentioneth, that he and his heirs ſhall be bound to warranty; but in caſe any land deſcend to the heir of his fathers ſide, he ſhall be barred for the value of the inheritance ſo deſcended.

III. Alſo if afterwards any inheritance deſcend to him by the ſame father, the tenant ſhall recover againſt him of the ſeiſin of his mother, by a Judicial writ to be iſſued out of the Rolls of the Juſtices, before whom the plea was pleaded, to reſummon his warranty, as hath been heretofore uſed in caſes, where the warrantor pleads *riens per deſcent* from him, by whoſe deed he is vouched. IV.

IV. Likewiſe the iſſue of the ſon may recover by Writ of Couſinage, *Ayel*, and *Beſayel*; neither ſhall the heir of the Wife be barred of his action, after the death of his father and mother, by writ of Entry, for land which his Father did alien in the time of his mother, whereof no fine is levyed in the Kings Court.

War.

I. **Stat.** 1 E.3.7. Whereas Commiſſioners have heretofore prepared men of Arms, and conveyed them to the King of *Scotland*, *Gaſcoigne*, and elſewhere at the charge of the Shires, whereby the Commons have been much impoveriſhed: The King wills, That it ſhall be done ſo no more.

II. **Stat.** 18 E.3.7. Men of Arms, Hoblers, and Archers choſen to go into the Kings ſervice out of *England*, ſhall be at the Kings wages, from the day that they depart out of the Countreys where they are levied, till their return.

III. **Stat.** 25 E. 3. Stat. 5. 8. None ſhall be conſtrained to find men of Arms, Hoblers, or Archers, but by tenure of land or grant in Parliament.

IV. **Stat.** 4 H.4.13. The Statutes of 1 E. 3.7. 18 E.3.7. and 25 E. 3. Stat. 5. 8. ſhall be holden in all points; yet ſo as Lords and all others, that have lands in *Wales*, or the Marches thereof, or hold of the King by Eſcuage or other ſervice, ſhall in no wiſe be excuſed of their ſervice and devoirs due to the King for their lands, fees, annuities, penſions, or other profits.

V. **Stat.** 11 H.7.18. Every perſon in *England* and *Wales* having any office, fee, or annuity of the Kings grant, ſhall perſonally attend upon him, when he goes himſelf in perſon in the Wars (unleſs he have the Kings licence, or be letted upon ſome juſt cauſe well proved) in pain to forfeit ſuch office, fee, and annuity. Howbeit, this Act ſhall not extend to any ſpiritual perſon, the Maſter of the Rolls, or other Officer, or Clerk of the Chancery, Juſtices of either Bench, Barons of the Exchequer, or other Officers or Clerks of the ſaid places, the Kings Attorney or Sollicitor, Serjeants at Law, any of the Kings Officers in *Berwick* or *Carliſle*, or the Clerk of the Kings Council: *See alſo another Statute to the like effect for the forfeiture of lands made* 19 H. 7.1.

VI **Stat.** 16.17. *Car. c.* 2, An Act was made for the relief of the Kings Army, and the Northern parts of this Kingdom, otherwiſe called the Act of the *Poll-money*, or four Subſidies.

VII. *Cap.* 3. Another Act was made for the reforming of ſome things

things miſtaken in the Stat. of 16 *Car. c.* 2. And to make good the Acts of the Commiſſioners, and other Officers by them authorized or appointed, and to be then authorized or appointed.

VIII. *Cap.* 4. Another Act was made for the levying of two intire Subſidies for the further relief of the Kings Army, and the ſaid Northern parts of the Kingdom.

IX. *Cap.* 5. An Act was made for the levying of Mariners, Sailers, and others for the preſent guarding of the Seas, and neceſſary defence of the Realm.

X. *Cap.* 9. This Act was made for the ſpeedy proviſion of money for disbanding the Armies, and ſetling the peace of the two Kingdoms of *England* and *Scotland*.

XI. *Cap.* 13. Another Act for the ſecuring of ſuch moneyes as are or ſhall be due to the Inhabitants of the County of *York*, and the other adjoyning Counties, wherein the Kings Army is or hath been billeted, for the billet of the ſouldiers of the ſaid Army, as alſo to certain Officers of the ſame Army, who do forbear part of their pay, according to an Order in that behalf made in the Commons Houſe of Parliament this preſent Seſſion; for ſuch part of their pay as they ſhall ſo forbear.

Waſte.

I. **Magna Charta**, 4. 9 H. 3. No Waſte ſhall be made by the Guardian in Wards lands; and if the cuſtody be committed to the Sheriff or any other that is accomptable to the King, and they commit waſte, they ſhall make recompence, and the wardſhip ſhall be committed to two diſcreet men of the fee, who ſhall anſwer the iſſues of the land to the King or his Aſſignee.

II. The Committee of the Ward making ſuch waſte, ſhall loſe the cuſtody, and then likewiſe he ſhall be committed to two diſcreet men, who ſhall be anſwerable to the King as aforeſaid.

III. **Magna Charta**, 5. 9 H. 3. The Guardian of the Wards lands ſhall with the iſſues thereof uphold his Houſes, Parks, Warrens, Ponds, Mills, and other things pertaining to the ſaid lands; and ſhall deliver unto him at his full age, lands ſtored with ploughs and other things (at leaſt) as he received them.

IV. The like ſhall be obſerved in the cuſtodies of all ſpiritual dignities, which pertain to the King, during their vacancy: Howbeit, ſuch cuſtodies ought not to be ſold.

V. **Marlb.** 23. 52 H. 3. *Pars inde.* Farmers (during their terms) ſhall not make waſte, ſale, or exile of houſe, woods, men, or any thing elſe,

elſe, which appertains to the tenements, that they have in farm without ſpecial licenſe had by writing of Covenant, making mention, that they may ſo do; in pain, that they (being thereof convict) ſhall yield full damage, and be grievouſly puniſhed by amerciament.

VI. **The Statute of Gloceſter**, 5. 6 E. 1. An Action of Waſte is maintainable againſt tenant by the courteſie in dower, for life or years, and the party attainted thereof ſhall loſe the thing waſted, and recompence thrice ſo much, as ſuch waſte is taxed at.

VII. As for Waſte done in the time of Wardſhip, *Magna Charta*, 4. 9 H. 3. (before 1.) ſhall be obſerved: and moreover, the Guardian ſhall recompence the heir for the waſte done, if the Wardſhip loſt ſhall not amount to the value of the damages, before the Heirs full age.

VIII. **Weſt.** 2. 14. 13 E. 1. The proceſſes in an action of waſte ſhall be ſummons, attachment and diſtreſs, and if the defendant appear not upon the diſtreſs, a writ of Enquiry ſhall be directed to the Sheriff to inquire of the waſte, upon return whereof, the Court ſhall proceed to Judgment, according to the Statute of *Gloceſter*, *cap. 5. before.*

IX. **Weſt.** 2. 22. 13 E. 1. An action of waſte ſhall be maintainable againſt one tenant in common againſt another of wood, tillage, fiſhing, or the like, and when the cauſe comes to Judgment, the defendant ſhall chooſe either to take his part in a certain place (to be ſet out by the Sheriff with a Jury) or to grant to take nothing, but as his pernors do; and if he chuſe to take his part in a place certain, the place waſted, ſhall be aſſigned for his part. The writ in this caſe is, *Cum A. & B. tenent. Boſcum pro indiviſo, B. fecit vaſtum &c.*

X. **The Statute of Waſte**, 20 E. 1. An action of waſte is maintainable by the heir for waſte done in his anceſtors time, as well as for that done in his own time.

XI. **Artic. ſup. Chart.** 18. 28 E. 1. An action of waſte is maintainable againſt Eſcheators, and Sub-eſcheators, for waſte by them committed in Wards lands.

XII. **Stat.** 11 H. 6. 5. An action of Waſte is maintainable by the reverſioner againſt tenant for life, or years, that firſt aliens his eſtate to a ſtranger, and afterwards (ſtill receiving the profits thereof) commits waſte: Howbeit this Statute ſhall not extend to ſuch tenants as hold without impeachment of waſte.

Waſte

Watches.

I. Stat. 5 H. 4. 3. Watches shall be kept upon the Sea-coasts, as they were wont to be; and in that case, the Statute of *Winchester* shall be observed; *which see in* Robbery.

II. In every Commission of Peace hereafter to be made, this article shall be inserted, *viz.* That the Justices of Peace shall have power in their Sessions to inquire of Watches, and to punish them, who shall be found in default, according to the tenor of the said Statute.

Wax.

* Stat. 11 H. 6. 12. No Wax-chandler shall sell or put to sale any Candles or other wares made of Wax at a dearer rate, then that he may have only 4 *d.* in every pound of wares above the common price of plain wax, in pain to forfeit all such wares put to sale, and the value of them sold, and besides to make fine to the King.

II. Justices of Peace, Mayors, Bailiffs, and Stewards of Franchise, have power to examine and search concerning the breach of this Law, and also to hear and determine the offences committed against it.

III. Stat. 23 El. 8. None in mingling or making of wax, shall use or cause to be used any deceit by mixture and mingling the same with Rosin, Tallow, Turpentine, or other deceitful thing, to the intent to sell it, or to put it to sale, in pain to forfeit the same: And if such deceitful wax happen to be sold before it be discovered, the maker or procurer thereof, shall forfeit for every pound thereof 2 *s.* to be divided betwixt the Queen and the party deceived, if he will sue, but if not, then the prosecutor.

IV. Every melter and maker up of unwrought wax, shall have a stamp or mark of the breadth of 6 *d.* wherein the two letters of his name and firname shall be graven, and with this shall stamp every such piece of wax triangularly in three places upon the out side of every such piece, in pain to forfeit the value of every piece so sold or put to sale not so stamped.

V. None shall melt, mix, work, sell, or put to sale, any wrought wax, stuff, or wares wrought with wax, but with good and pure stuff, fit for such work, and sealed with the workers stamp, to the end he may be known; in pain to forfeit all corrupt wares otherwise wrought and so sold or put to sale, to be divided as aforesaid.

VI. None shall sell or put to sale any false mingled Wax; in pain to forfeit the same, to be divided as before.

VII. All Casks filled with honey, shall be by the filler thereof marked with two letters, standing for his name and sir-name, each letter being an inch and an half in length, at least, and burnt upon the head of each Cask with an hot iron; in pain to forfeit 6 s. 8 d. for every Cask of honey sold or put to sale, and not so marked.

VIII. None shall fill, sell, or put to sale any Cask of honey for a Barrel, Kilderkin, or Firkin, unless they contain as followeth, viz. the Barrel 32 gallons wine-measure, the Kilderkin 16, and the Firkin 8; in pain to forfeit for every half gallon so lacking 5 s. together with the Cask and Honey therein contained, to be divided as before.

IX. This Act, as to the marking of Wax, shall not extend to any, selling the Wax of their own Bees in open Markets, nor to any servant mingling or corrupting Wax by the commandment of his Master, so as he will confess the same.

X. None shall counterfeit anothers mark, nor stamp therewith without the owners consent, in pain to forfeit for every such offence 5 l. to be divided, as before; And in case he be not able to pay it, to be set upon the Pillory in the next Market-Town to the place where he offends, and to suffer three months imprisonment without bail.

VVears.

* I. **Magna Carta**, 23. 9 H. 3. All Wears shall be put down by *Thames* and *Medway*, and throughout all *England*, save onely by the Sea-coasts.

II. **Stat.** *de Pannis*, 4. 25 E. 3. All Gorces, Mills, Wears, Stanks, Stakes, and Kiddles, set up in the time of E. 1. and since, whereby Ships and Boats are disturbed to pass in Rivers, as they were wont, shall be utterly pulled down, never to be renewed: And hereupon Writs shall issue to the Sheriffs of the places, where need shall require, to survey, and inquire, and thereof to do execution; Justices also shall be thereupon assigned, as shall be needful.

* III. **Stat.** 45 E. 3. 2. The Statute of Cloth 4. 25 E. 3. shall be put in due execution, and if any such annoyance be done, it shall be pulled down by due Process, according to the said Statute.

IV. If any shall repair any such annoyance, and be thereof attained, he shall incur the pain of 100 marks to the King, to be le-

vied

by eſtreats of the Exchequer: The like Law ſhall be for annoyance made by enhancing ſuch Wears, Mills, Stanks, Stakes, and Kiddles, as by the new levying of them.

VI. Stat. 1 H. 4. 12. The ſaid Statutes of 25 E. 3. 4. and 45 E. 2. ſhall be put in due execution.

VII. Commiſſions ſhall be made to ſufficient men to be Juſtices in every County, where need ſhall be, to ſurvey and keep the waters and great Rivers there, to correct the defaults, and to put the ſaid Statutes in due execution, as well by their Survey, advice, and diſcretion, as by Enqueſts, both within franchiſes and without, as need ſhall be, and to hear and determine the things aforeſaid: Alſo to ſurvey the Wears, Mills, Stanks, Stakes, and Kiddles, levied before the time of E. 1. and to correct, pull down, and amend ſuch of them, as they ſhall find too much enhaunced or ſtraightned, ſaving always a reaſonable ſubſtance thereof.

VIII. If any ſuch meaſures be adjudged and awarded by the ſaid Juſtices to be pulled down and amended, the owner of the freehold thereof ſhall make thereof execution at his own charge within half a year after notice thereof given to him, on pain of 100 Marks to be paid to the King by eſtreats of the Exchequer. And he that ſhall cauſe them to be repaired, enhaunced, or ſtraightned againſt the ſaid judgement (being thereof convict) ſhall alſo incur the pain of 100 Marks, to be paid as aforeſaid: Howbeit, if any ſhall find himſelf grieved by the execution of this Act, upon complaint he ſhall be relieved.

VIII. Stat. 4 H. 4. 14. The Statutes of 25 E. 3. 4. 45 E. 2. and 1 H. 4. 12. ſhall be duly put in execution.

IX. Commiſſions ſhall be awarded to certain Juſtices and others in every County, where need ſhall be, to inquire of offendors againſt the ſaid Statutes, and to puniſh them by fine at their diſcretions; giving to the King the penalties compriſed in the ſaid Statutes.

X. The eſtreats of ſuch fines ſhall be delivered by the Juſtices to the Sheriff by Indenture, who ſhall there outpay to every Juſtice 4 l. for every day, that he ſhall execute ſuch Commiſſion, and the Sheriff is to be allowed it again upon his accompt in the Exchequer.

XI. Stat. 1 H. 5. 2. All the aforeſaid Statutes are confirmed, and ordered to be put in due execution.

XII. Stat. 12 E. 4. 7. All the ſaid Statutes are again confirmed, And whereby award of any of the ſaid Commiſſioners aſſigned (according to the ſaid Statute of 1 H. 4. 12.) it is found, that ſuch Wears, Fiſh-garths, Mills, Mildams, Milſtankes, Locks, Ebbing-wears, Kiddles, Hecks, or Flood-gates, are made, levied, raiſ-

ed, straightned, or enlarged against the said Statute, if the offenders therein, being duly warned thereof by the Sheriff (*per Scire facias*) do not within three months after such warning duly return such default, they shall forfeit 100 marks, to be paid, as by the said Statute is ordained, and also for every month after the said 3 months that the said default is not reformed, 100 marks more, to be divided betwixt the King and the Prolecutor: The Heir also or the Assignee of such offenders, shall likewise forfeit 100 marks of every month, that he continues such disturbances, to be divided as aforesaid.

Weights and Measures.

I. **Magna Carta**, 25. H. 3. One measure of Wine shall be throughout the Realm, one measure of Ale; and one measure of Corn, *viz.* the quarter of *London*, and one breadth of dyed cloth, Russet, and Haberjects, *viz.* two yards within the lists; and Weights, as there is of measures.

II. **Assisa Panis & Cervisiæ**, 51. H. 3. By this Statute the Assize of bread was raised, *viz.* when a quarter of Wheat should be sold for 12 d. a wastel bread of a farting (a kind of bread then so called) should weigh 6 pounds 18 shillings, *viz.* 66 pounds 9 ounces 12 penny weight, according to *Troy-Weight*: *For at that time a pound of silver, by Troy-weight, was a pound Sterling, or 20 shillings, a penny now, was three pence then: And so it continued, until H. 6. raised the ounce of Silver (which was before but 20 pence) to 30 pence, and after that the old penny was valued at three halfe pence: afterwards E. 4. raised it to 40 pence: then H. 8. to 45 pence, and last of all Qu. El. to 5 shillings, at which rate it yet stands: And all this was done by the said Kings and Queens Proclamations, according to the exigencies of affairs in the Common-wealth at the times, when it was so altered.*

III. *According to the proportion ordained by this Statute, the ensuing Table is framed for the due Assize of Bread now in use.*

A Table of the Assize of Bread, according to *Troy*-weight, having Twelve Ounces in a Pound, and twenty Peny-weight in each of those twelve Ounces.

Price of Wheat.	Penny white.			Penny wheaten.			Penny Houshold.		
s. d.	li.	ounc.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
1 6	1	5	7	2	2	0	2	10	19
1 8	1	4	8	2	1	6	2	9	16
1 10	1	4	10	2	0	14	2	9	0
1 0	1	4	2	2	0	2	2	8	4
1 2	1	3	14	1	11	12	2	7	8
1 4	1	3	6	1	11	0	2	6	12
1 6	1	3	0	1	10	10	2	6	0
1 8	1	2	4	1	10	0	2	5	8
1 10	1	2	8	1	9	12	2	4	16
1 0	1	2	2	1	9	2	2	4	4
1 2	1	1	16	1	8	12	2	3	12
1 4	1	1	10	1	8	6	2	3	0
1 6	1	1	5	1	7	18	2	2	10
1 8	1	1	0	1	7	10	2	2	0
1 10	1	0	15	1	7	3	2	1	10
1 0	1	0	10	1	6	16	2	1	1
1 2	1	0	6	1	6	8	2	0	12
1 4	1	0	1	1	6	0	2	0	2
1 6	0	11	17	1	5	15	1	11	14
1 8	0	11	13	1	5	10	1	11	6
1 10	0	11	9	1	5	4	1	10	17
1 0	0	11	5	1	4	18	1	10	10
1 2	0	11	1	1	4	12	1	10	2
1 4	0	10	18	1	4	6	1	9	16
1 6	0	10	14	1	4	0	1	9	8
1 8	0	10	10	1	3	16	1	9	2
1 10	0	10	8	1	3	10	1	8	16
1 0	0	10	5	1	3	6	1	8	10
1 1 6	0	10	3	1	3	0	1	8	4

Price of wheat.	Penny white.	Wheaten.	Household.
s. dr.	li. ounce dr.	li. ounc. dr.	li. ounc. dr.
34 0	0 9 19	1 2 15	1 7 18
34 6	0 9 16	1 2 12	1 7 14
35 0	0 9 13	1 2 8	1 7 11
35 6	0 9 10	1 2 4	1 7 8
36 0	0 9 8	1 2 1	1 6 16
36 6	0 9 5	1 1 18	1 6 13
37 0	0 9 2	1 1 14	1 6 10
37 6	0 9 0	1 1 10	1 6 8
38 0	0 8 18	1 1 7	1 6 5
38 6	0 8 15	1 1 4	1 6 2
39 0	0 8 13	1 1 0	1 5 15
39 6	0 8 11	1 0 16	1 5 13
40 0	0 8 9	1 0 12	1 5 10
40 6	0 8 7	1 0 8	1 5 7
41 0	0 8 5	1 0 5	1 5 4
41 6	0 8 3	1 0 1	1 5 2
42 0	0 8 1	1 0 0	1 4 15
42 6	0 7 19	0 11 18	1 4 13
43 0	0 7 17	0 11 16	1 4 10
43 6	0 7 15	0 11 13	1 4 8
44 0	0 7 13	0 11 10	1 4 5
44 6	0 7 12	0 11 6	1 4 3
45 0	0 7 10	0 11 4	1 4 0
45 6	0 7 8	0 11 1	1 3 13
46 0	0 7 6	0 10 14	1 3 11
46 6	0 7 5	0 10 12	1 3 9
47 0	0 7 4	0 10 9	1 3 7
47 6	0 7 2	0 10 7	1 3 5
48 0	0 7 1	0 10 4	1 3 3
48 6	0 6 19	0 10 1	1 3 1
49 0	0 6 17	0 9 19	1 2 16
49 6	0 6 16	0 9 16	1 2 14
50 0	0 6 15	0 9 14	1 2 12
50 6	0 6 14	0 9 12	1 2 10
51 0	0 6 13	0 9 9	1 2 8
51 6	0 6 11	0 9 7	1 2 6

Price of Wheat.	Penny white.			Wheaten.			Houſhold.		
l.	dr.	li.	ounc.	dr.	li.	oun.	dr.	li.	ounc.	dr.
32	0	0	6	10	0	9	14	1	1	0
32	6	0	6	8	0	9	12	1	1	17
33	0	0	6	7	0	9	10	1	0	14
33	6	0	6	6	0	9	8	1	0	12
34	0	0	6	5	0	9	6	1	0	10
34	6	0	6	4	0	9	5	1	0	8
35	0	0	6	3	0	9	4	1	0	6
35	6	0	6	1	0	9	2	1	0	3
36	0	0	6	0	0	9	0	1	0	0
36	6	0	5	19	0	8	18	0	11	18
37	0	0	5	18	0	8	17	0	11	16
37	6	0	5	17	0	8	15	0	11	14
38	0	0	5	16	0	8	14	0	11	11
38	6	0	5	14	0	8	13	0	11	9
39	0	0	5	13	0	8	12	0	11	6
39	6	0	5	12	0	8	10	0	11	4
40	0	0	5	11	0	8	8	0	11	2
40	6	0	5	10	0	8	6	0	11	1

IV. According to the aboveſaid rate (*at the time when this Statute was made*) a Baker in a Quarter of Wheat (as was then proved by the Kings Bakers) might gain 4 *d.* and the bran, and two loaves for advantage; for three ſervants 1*d. ob.* for two lads *ob.* for ſalt *ob.* for kneading *ob.* for candle *qu.* for wood 3 *d.* and for his boultel, *ob.* in tot', 12 *d. ob. qu. which being trebled,* (*according to the rate of money now*) *amounts to* 3*s.* 2 d. qu. *and may therefore be now conceived fit for the Baker to gain in the uttering of every Quarter of wheat:* Howbeit note, *That by the Book of Aſſiſe now in uſe, publiſhed by Proclamation towards the latter end of the Reign of Queen* Elizabeth, *Bakers inhabiting Corporate Towns* (*in regard they pay Scot and Lot there*) *are allowed ſix ſhillings in every Quarter of the middle-prized wheat for their charge in baking: And Countrey or Forreign Bakers only* 4*s.* For Example; *when the middle price of wheat is* 30*s. the Quarter, for aſſiſe of Town-Bakers you are to find in the aforegoing Table the aſſiſe of bread anſwering to* 36*s. but for the aſſiſe of Forreign Bakers, that of* 34*s. And therefore* (*in that caſe*) *the penny white loaf put to ſale by*

Town-Bakers ought to weigh nine ounces, eight penny weight; but that uttered by forreign Bakers nine ounces nineteen penny weight, as appears in the Table.

V. When a Quarter of wheat is sold for 3*s.* or 3*s.* 4*d.* and barly for 20*d.* or 2 *s.* and oats for 16 *d.* the quarter, Brewers in Cities may afford to sell two gallons of beer or ale for 1 *d.* and out of Cities three gallons for 1 *d.* and when in a Town three gallons may be sold for 1*d.* out of a Town four gallons may be afforded: And this Assize shall be observed throughout *England*.

VI. The Assize of Bread shall be rated according to the middle price of wheat, and shall not be charged but by 6 *d.* increasing or decreasing in the sale of a Quarter.

VII. *Stat. de ponderibus & mensuris.* An English penny sterling (being now three pence) shall weigh 32 grains of wheat taken out of the middle of the ear, and 28 *d.* do make an ounce, 12 ounces a pound, 8 pounds a gallon, 8 gallons a *London* bushel, which is the eighth part of a quarter. *Stat.* 31 E. 1. See *Rastal*, Weights 7. 8.

VIII. *Stat. of Pillory and Tumbrel*, 51 *H.* 3. If a Baker or Brewer be convict not to have observed the Assize; for the first, second, and third fault, he shall be amerced, except the offence be grievous and often, and then shall the Baker go to the Pillory, and the Brewer to the Tumbrel, or some other Correction.

IX. Six men shall be sworn truly to gather all the measures and weights of the Town, and of Mills, and upon the measures and weights, as also upon every loaf shall the name of the owner be distinctly written: After this, twelve lawful men shall be sworn to make true answer on the Kings behalf upon Articles hereafter following: and the Bailiff shall be commanded to bring the Bakers and Brewers with their measures, and all things underwritten.

X. Then first the Jury shall inquire the first, second, and third prices of Wheat sold the last Market-day; and also how Barley and Oats; and upon how much increase or decrease of the price of Wheat, the Baker ought to change the Assize of his bread, and how much it ought to weigh, according to the present price of Wheat: and whether the Town have a Pillory of convenient strength.

XI. Again, they shall inquire of the assize and price of Wine, and the Vintners names, and how they sell, and whether they utter that which is wholesome for mans body: also of the assize of ale in the Court of the Town, how it is, and whether it be observed; and if the Brewers be found to have sold contrary to the Assize, they shall be amerced, or else judged to the Tumbrel.

They

XII. They shall inquire likewise of such as use double or false Weights or Measures, of Butchers and Cooks that sell unwholesome meat; and of forestallers, which buy any thing before the accustomed time of Market.

XIII. Stat. *de Pistoribus*, 31 E. 1. The assize or weight of wheat shall never be changed, but when there is six pence increasing or decreasing in the price of a quarter.

XIV. If a Bakers bread be found a farthing weight lacking in two shillings six pence, or under, he shall be amerced; and if it pass the same number, he shall suffer the punishment of the Pillory, which shall not be remitted for gold or silver: and every Baker shall have a mark of his own bread.

XV. *According to which proportion, it seems, that if a Bakers bread wants not a penny weight in six ounces, he shall not incur amerciament.*

XVI. Every Pillory or Stretch-neck must be made of convenient strength, for that execution may be done upon offenders without peril of their bodies.

XVII. The Toll of a Mill shall be taken according to custome and the strength of the water, either to the 20 or 26 corn: also by measure agreeable to the Kings Standard, and by the rate and not by heap or cantell; and if the Farmers find the Millers their necessaries, they shall take nothing besides their due toll, in pain to be grievously amerced.

XVIII. The Assize of Ale shall be assessed, proclaimed, and kept according to the price of corn, whereof Malt is made; and the Brewer shall not increase more in a gallon, but according to the rate of 6 d. rising or falling in a Quarter of Malt: and if he break the assize for the first, second, and third time, he shall be amerced; but for the fourth, he shall incur the Pillory.

XIX. A Butcher that sells Swines-flesh mezled, or dead of the murrin, shall for the first time be amerced, for the second incur the Pillory, for the third be imprisoned, and make fine; and for the fourth, shall forbear the Town: and in this manner shall it be done to all that offend in like case.

XX. The Standard of Bushels, Gallons, and Elns, shall be signed with an Iron Seal of the Kings; and no Measure shall be in any Town, unless it do agree with the Kings Measure, and be marked with the Seal of the Shire-Town.

XXI. If any do sell or buy with Measures unsealed, and not examined by the Mayor and Bayliffs, he shall be grievously amerced.

All

XXII. All Measures shall be viewed twice every year; and if any be convict of a double Measure, he shall be imprisoned, and grievously punished.

XXIII. The Standard, Bushels and Elns shall be in the custody of the Mayor and Bayliffs, and of six lawful persons of the Town being sworn, before whom all Measures shall be sealed; and no grain shall be sold by the heap or Cantel, except it be Oats, Malt, and Meal.

XXIV. No Fore-staller shall be suffered to dwell in any Town, and if any be convict of that offence, for the first time he shall be amerced, and lose the thing so bought; for the second, shall have judgment of the Pillory; for the third, shall be imprisoned and make fine; and for the fourth, shall abjure the Town: and like judgment also shall be given his accessaries.

XXV. *An Ordinance for measuring of land*, 34 E. 1. *See the Statute at large.*

XXVI. **Stat.** 14 E. 3. 12. There shall be one Weight and one Measure through the Realm of *England*; and the Treasurer shall cause to be made certain Standards of bushels, gallons, and weights of brass, and shall send them into every County where such Standards are not already sent: and thereupon shall be assigned two sufficient persons of every County (or more if need be) to survey Weights and Measures, according to the Standard, who shall have power to hear, determine, and punish all those that shall be thereof found guilty, and to command the Sheriff to imprison them, till they shall make fine to the King.

XXVII. The said Officers shall every year, the next day after the Feast of Saint *Michael*, deliver their Estreats into the Exchequer, and take for their expences a fourth part of that they can levy, and shall answer the King the other three parts, and the fourth part also of that they cannot levy, shall be answered them in the Exchequer, and the other three parts shall be levied for the Kings use.

XXVIII. **Stat.** 25 E. 3. 9. Auncel weight shall be quite put out, and weighing shall be by equal balance, *Stat.* 34 E. 3. 5.

XXIX. **Stat.** 25 E. 3. 10. Every Measure shall be according to the Kings Standard, and shall be striked without heap, saving the rents of Lords: and the King will assign certain Justices in every County to inquire, hear, and determine upon the points aforesaid, and to inflict punishment according to the trespass.

XXX. **Statutum Stapul.** 27 E. 3. 10. There shall be one weight and one measure, and none shall use any deceit in weighing commodities by an uneven tongue of the ballance, or by putting hand

hand, foot, or other touch, in pain to forfeit the value of the commodities so weighed, to suffer one years imprisonment, and to be ransomed at the Kings will; and the party grieved shall recover quadruple damages.

XXXI. There shall be Justices assigned to enquire of such trespasses, and to do right as well at the Kings Suit, as at the suit of the party.

XXXII. Stat. 13 R. 2 9. There shall be one weight and measure throughout *England*, and he that shall be convicted to have used any other, shall suffer six months imprisonment, and yield double damages to the party grieved: except in *Lancashire*.

XXXIII. Stat. 15 R. 2. 4. Eight bushels of Corn striked shall be accounted a Quarter, as well by Water as by Land; and none shall buy otherwise, in pain to forfeit the Corn or Malt bought.

XXXIV. Stat. 16 R. 2. 3. All Weights and Measures shall be according to the Standard of the Exchequer: And the Clerk of the Market shall have all his weights and measures ready, together with marks of the Exchequer, and shall carry and bring them with him, when he makes essay of Weights and Measures; neither shall he nor any other use any other, upon the pains ordained by former Statutes.

XXXV. Stat. 1 H. 5. 10. No Purveyor of the King, nor any other shall buy or take any Corn by any other measure, than eight bushels striked for the Quarter, and payment shall be made in hand for the carriage.

XXXVI. If any Purveyor offend herein, he shall incur a years imprisonment, and forfeit 5 *l.* to the King, and as much to the party grieved: And nothing shall be taken for the measuring of Corn.

XXXVII. Justices of Peace have power to hear and determine these offences.

XXXVIII. Stat. 2 H. 6. 11. The Tun of Wine shall contain 252 gallons English measure, the Pipe 126 gallons, the Barrel of Herrings or Eels shall contain 30 gallons, the Butt of Salmon 84 gallons; and so of other lesser measure after the same rate.

XXXIX. None shall import or make any vessel contrary to this Act, in pain to forfeit the Commodities therein contained to the Lord of the Town, where they are found, whereof the Prosecutor shall have the fourth part.

Justices

XL. Justices of Peace and Mayors, and Bailiffs, (having power to inquire of the Peace) have power to hear and determine these offences.

XLI. Stat. 8 H. 6. 5. Every City, Borough, and Town within *England*, shall have a common Balance, with common weights sealed, and according to the Standard of the Exchequer upon the common coasts of the said City, Borough or Town in the keeping of the head Officer or Constable there, in pain that the City for such default shall forfeit 10 *l.* to the King, the Borough 5 *l.* and every other Town 40 *s.*

XLII. At this Balance all the Inhabitants may weigh *gratis*, but a forreigner shall for every draught under 40 *l.* pay a farthing, for a draught betwixt 40 *l.* and an hundred, an half penny: and for a draught betwixt an hundred and a thousand, a penny: whereof the weights shall be maintained, and the Officers which attend that service rewarded at the discretion of the said Inhabitants.

XLIII. Justices of Peace, Mayors, Bayliffs, and Stewards of Franchises have power to hear and determine these offences.

XLIV. Stat. 9 H. 6. 6. The Burgesses of *Dorchester* shall not be disturbed by the Statute of 8 H. 6. 5. to use their weighing within 12 miles compass of that Town: so as they use such weights, as the said Statute are expressed.

XLV. Stat. 9 H. 6. 8. A weigh of Cheese shall contain 32 Clovet, and every Clove seven pound.

XLVI. Stat. 11 H. 6. 8. The *Stat.* of 2 H. 5. 10. and 8 H. 6. 5. shall be duly put in execution.

XLVII. In every City, Borough and Town, there shall be a common bushel sealed, and according to the Standard, in like manner and pain as in the said Statute of 8 H. 6. 5. is specified for a common balance.

XLVIII. All Justices of Peace, Mayors, and Head Officers shall have power to hear and determine the offences committed against the said Statutes by examination or inquisition, and as well at the suit of the King, as of the party grieved.

XLIX. The Mayor of *London*, and all other Mayors and Bailiffs on their oaths shall be charged to keep and execute all the said Statutes, and shall be accountable in the Exchequer for all profits and forfeitures which shall grow due thereupon to the King.

L. Stat. 1 R. 3. 13. The contents of every vessel of Wine and Oyl, and they shall not be sold, untill they be gauged by an officer to be appointed by the King for that purpose: The Measures are these, a Tun of wine 252 gallons, A Pipe 126. A Tertian 84. A

Hogshead

Hogshead 63. A Barrel 31 and a half, and a Rundlet 15 an half.

LI. Stat. 7. H. 7. 4. (*Or according to* Rastal *cap.* 3.) Measures and Weights of brass shall be sent to every City and Borough, there to be kept as their treasure, according to which all Measures and Weights in every County shall be reformed.

LII. The Mayor or chief Officer of every such place shall have a special mark wherewith he shall seal the said measures and weights; And shall take for sealing of a Bushel a penny, and of every other measure an half penny; For an hundred weight a penny, for half an hundred an half penny; And for every less weight a farthing.

LIII. If he refuseth or delayeth to seal them, or do any thing contrary to this Act, he shall forfeit 40*s.* to be divided betwixt the King and the party grieved, and to be recovered by action of debt, wherein no wages of Law shall be admitted.

LIV. Justices of Peace have power to hear and determin the said defaults.

LV. By Stat. 11 H. 7. 4. Measures and Weights of brass shall be sent to Cities and Boroughs there especially named.

LVI. Only Cities, Boroughs, and Market-Towns shall be enjoyned to have common balances, weights, and measures, and all other Towns shall be excused, notwithstanding the Statutes of 8 H. 6. and 11 H. 6. 8. above mentioned.

LVII. The Mayors and chief Officers of the said Cities, Boroughs and Market-Towns, which shall have delivered unto them such weights and measures sealed with the letter *H.* crowned, (*or with the first letter of the name of the King of England for the time being*) shall have authority and power to sign like weights and measures unto any of the Kings Subjects (duly requiring the same) taking for the marking of every bushel only one peny.

LVIII. None shall buy or sell with any other weights or measures in any City, Borough, or Market-Town, but such as are so marked, nor in any other place, with a bushel, which is not so marked.

LIX. Mayors and chief Officers, shall at least once every year view all measures and weights within their jurisdictions, and break or burn them which they find defective; and also inflict punishment upon the offenders, *viz.* for the first offence 6*s.* 8*d.* for the second 13*s.* 4*d.* and for the third 20*s.* and besides, adjudge them to the Pillory.

LX. Two Justices of Peace (one *Quorum*) have authority as well by examination as inquiry, to hear and determine the defaults of Mayors, and other head Officers; and also of buyers and sellers

contrary

contrary to this Act, and to set fines and amerciaments upon the offendors at their discretion: and the defective weights and measures are to be forfeited and burnt.

LXI. Eight bushels of corn raised and stricken shall be accounted a Quarter, 14 l. a stone of wooll, and 26 stone a sack: However, this Act shall not extend to any person selling or buying by water-measure within Ship-board, whereof every bushell shall contain five pecks raised and stricken.

LXII. Within the Cinque-Ports the Lord Warden of his Lieutenant shall order the weights and measures.

LXIII. Stat. 12 H. 7. 5. A Bushel shall contein eight gallons of wheat; and every gallon 8 pounds of wheat, Troy-weight, and every pound 12 ounces; and every ounce 20 Sterlings, (or penny weights) every Sterling shall weigh 32 grains of wheat, that grow in the midst of the ear of wheat, and a Standard for the Kings Treasury is to be made accordng to this Assize.

LXIV. Whereas weights and measures, set down to Cities and Boroughs last year by the *Stat.* of 11 H. 7. 4. were found defective, others more perfect shall be sent thither, at the charge of the said Cities and Towns; according to which all other weights and measures shall be regulated, upon the pains in the said Statute contained.

LXV. Stat. 28 H. 8. 14. *in fine.* The Statute of 1 & 3 E. 6. and all other Statutes made for the due gauging and measuring of Wine, Oyl, Honey, and other Liquors, shall be duly put in execution.

LXVI. Every Gauger shall duly gauge all the said Vessels, and mark upon the head of each of them the true content thereof, in pain to forfeit to the buyer thereof the quadruple value of that it wants, besides costs of suit; The Merchant also shall recompence the buyer what it wants, according to the value of the vessel bought, in pain to forfeit to the buyer the double value of such vessel sold, together with costs of suit.

White Ashes.

* I. Stat. 2, 3. E. 6 26. None shall ship, lade, carry, or convey any White Ashes towards the parts beyond Sea, in pain to forfeit for every bushel 6 s. 8 d. to be divided betwixt the King and the prosecutor.

Whitegate

Whitegate.

I. Stat. 33 H. 8. 32. The Church of *Whitegate in Cheshire* shall be a Parish Church, and no part of the Parish of *Over*.

Wild-fowl.

*I. Stat. 25 H. 8. 11. None shall destroy or take away the eggs of any Wild-fowl, in pain to forfeit for every egg of a Crane or Bustard so taken or destroyed, 20*d.* of a Bittern, Hern, or Shovelard, 8*d.* and of a Mallard, Tele, or other Wild fowl, 1*d.* to be divided betwixt the King and the prosecutor: And the Justices of Peace have power to enquire hear, and determine offences of this kind, as they use to do in cases of trespass.

VVills.

I. Merton. 2. 20 H. 3. Widows may bequeath the crop of their ground, as well of their dowers as other lands, saving to the Lords of the Fee all such services as be due for their dowers or their tenements.

II. Stat. 32 H. 8. 1. Every person having Mannors, Lands, Tenements, or Hereditaments, holden in soccage, or of the nature of Soccage-tenure, and not having any such Mannors, Lands, &c. holden of the King by Knight service, Soccage, Tenure in chief, or of the nature of Soccage-tenure in chief, nor of any other person by Knight-service, shall have power to give, dispose, will and devise, as well by his last Will and Testament, in writing, or otherwise by any act executed in his life, all such Mannors, Lands, &c. at his pleasure.

III. Every person having Mannors, Lands, &c. holden of the King in Soccage, or of the nature of Soccage in chief; and having any other Mannors, Lands, &c. holden of any other person in Soccage, or of the nature of Soccage, and not having any Mannors, Lands, &c. holden of the King or any other by Knight-service, shall have power to give, will, dispose and devise, as well by his last Will and Testament in writing, as otherwise by any act executed in his life, all such Mannors, Lands, &c. or any of them at his pleasure.

IV. Howbeit, all such *primer seisins*, reliefs, fines for alienation, and all other rights and duties for tenures in soccage, or in the nature of soccage in chief, as have been heretofore used, are saved to the King,

King, and the ſaid Mannors, Lands, &c. are to be taken, had, and ſued out of the Kings hands by the perſon or perſons, to whom they ſhall be ſo diſpoſed, willed, or deviſed, in like manner as hath been uſed by any heir or heirs, before the making of this Statute.

V. Every perſon having Mannors, Lands, &c. of eſtate in inheritance, holden of the King in chief, by Knight ſervice, or of the nature of Knight ſervice in chief, hath power by his laſt Will in writing, or by any other Act executed in his life, to give, diſpoſe, will, or aſſign two parts thereof in three parts to be divided, or elſe ſo much thereof as ſhall amount to the yearly value of two parts thereof in three parts to be divided in certainty, and by ſpecial diviſion, that it may be known in ſeveralty, for the advancement of his wife, preferment of his children, and payment of his debts, or otherwiſe at his pleaſure.

VI. Here alſo the cuſtody, wardſhip, and *primer ſeiſin*, or any of them, as the caſe ſhall require, of as much of ſuch mannors, lands, &c. as ſhall amount to the clear yearly value of the third part thereof: As alſo all fines for alienation, upon ſuch alteration of the Freehold or inheritance, are ſaved to the King.

VII. Every perſon having Mannors, Lands, &c. of eſtate of inheritance, holden of the King in chief, by Knight ſervice, and having other Mannors, lands, &c. holden of the King or any other by Knight ſervice or otherwiſe, hath power to give, diſpoſe, will, or aſſign, by will in writing, or otherwiſe by Act executed in his life, two parts thereof in three parts to be divided, or ſo much thereof as ſhall amount to the yearly value of two parts thereof, to be ſevered as aforeſaid, for the advancement of his Wife, preferment of his children, and payment of his debts, or otherwiſe at his pleaſure.

VIII. Here likewiſe the cuſtody, Wardſhips, *primer ſeiſin*, and fines for alienations are ſaved to the King, as before.

IX. Every perſon having mannors, lands, &c. of eſtate of inheritance, holden of any other Lord by Knight ſervice, and other Lands in Soccage, or of the nature of Soccage, may give, diſpoſe, aſſure by will or otherwiſe by Act executed in his life, two parts of the Knight ſervice land, or ſo much thereof as ſhall amount to the yearly value of two parts as aforeſaid; and alſo all the ſoccage-land at his pleaſure: ſaving to ſuch Lord (for his cuſtody and wardſhip) ſo much of the Knight ſervice land, as ſhall amount to the yearly value of the third part thereof.

X. Every perſon having mannors, lands, &c. holden of the King by Knight ſervice, and not in chief, or any mannors, lands, &c. holden of the King by Knight ſervice, and not in chief, and other ma-

nors,

nors, lands, &c. holden of any other person by Knights-service, and also other manors, lands, &c. holden of any other person in soccage, or in the nature of Soccage, may give, dispose, will, devise, and assure, by his last Will, or otherwise by act executed in his life, two parts of the said Knight-service-land, or so much thereof, as shall amount to two parts of the yearly value thereof, as aforesaid, and all the soccage-land, at his will and pleasure: Howbeit, here also the custody and Wardship of so much of the said Knights-service, manors, lands, &c. as shall amount to the yearly value of the third part thereof, are saved to the King, and other Lords respectively; and if the King or other Lord have not (in this case) a full third part set out for them, they may (respectively) take into their possession so much of the other two parts, as will make it a full third part.

XI. Provided, that all persons shall sue liveries for possessions, reversions or remainders, and pay reliefs and heriots, as they did before the making of this Act.

XII. Fines for alienations shall be paid in Chancery upon Writs of entry in the *Post* for common recoveries suffered of any Manors, Lands, &c. holden of the King in chief, in like manner, as upon alienations of such Manors, Lands, &c. by fine or feoffment: Howbeit no other fine shall be paid there for any such Writs, but only such as for alienation.

XIII. Where two or more hold any Manors, Lands, &c. of the King by Knight-service, joyntly to them, and the heirs of one of them, and he that hath the Inheritance dyeth, his heir being within age, the King shall have the Ward and Marriage of such heir, the Wife of the Freeholder or Freeholders notwithstanding: saving to every Woman her Interest of Dower in such lands to be assigned out of the two parts thereof, severed from the third part, as above-said, and not otherwise, and saving also to the King the reversions of such tenants by joynt-tenure and Dower, after the death of such Women, in case they happen to dye during the nonage of the Kings Ward.

XIV. Stat. 34, 35 H. 8. 5. Where the Statute of 32 H. 8. 1. mentioneth manors, lands, &c. of inheritance, it shall be expounded and taken of estates in fee-simple.

XV. Every person having a sole estate in fee-simple, or seized in Coparcenery, or in common in fee-simple, in any Manors, Lands, Tenements, rents, or other hereditaments in possession, reversion, or remainder, and having no Manors, Lands, &c. holden of the King; or of any other by Knight-service, may give, dispose, will,

or deviſe to any perſon or perſons (except bodies politick and corporate) by his laſt Will and Teſtament in writing, or by Act executed in his life, by himſelf ſolely, or by himſelf and others joyntly, ſeverally, or particularly, or by all thoſe wayes, or any of them, as much as in him of right is, all his ſaid Manors, Lands, Tenements, Rents and Hereditaments, or any of them, or any Rents, Commons, or other profits out of the ſame, or any parcel thereof, at his free will and pleaſure.

XVI. Every perſon having ſuch an eſtate, or ſeized, as aforeſaid, of or in any mannors, lands, rents, &c. in poſſeſſion, reverſion, or remainder, or of or in any rents or ſervices incident to any reverſion, or remainder holden of the King by Knight-ſervice in chief, or of the nature of Knight-ſervice in chief, may give, diſpoſe, will, or aſſign to any perſon or perſons (except bodies politick and corporate) by his laſt Will and Teſtament in writing, or by an Act executed in his life, by himſelf ſolely, or by himſelf and others jointly, ſeverally, or particularly, or by all thoſe wayes or any of them (as much as in him of right is) two parts, as well of all the ſaid Manors, Lands, &c. as of all other rents and hereditaments, or of any of them, or any rents, commons, profits, or commodities out of, or to be perceived of the ſame two parts, or out of any part thereof, in three parts to be divided, or as much thereof as may amount to the yearly value of two parts thereof, in three parts to be divided (of what perſon or perſons ſoever they be holden) at his free will and pleaſure.

XVII. Such Will ſo declared ſhall be good for two parts of the ſaid Manors, Lands, &c. although it be made of the whole more then the two parts thereof: the ſaid diviſion to be made by the diviſor, or owner of the ſaid Manors, Lands, &c. by will in writing, or otherwiſe in writing: and in default thereof by Commiſſion out of the Court of Wards upon inquiry of the true value thereof, by the oaths of 12 men: and upon return thereof in the ſaid Court, the diviſion ſhall be made by the Maſter of the Wards, if the ſaid Maſter and parties cannot otherwiſe agree upon the diviſion: and the iſſues and profits of the two parts ſhall be reſtored to them that ſhall have right thereunto, from the death of the Owner or Deviſor.

XVIII. Every perſon being ſeiſed ſolely, in co-parcenery, or in common, as aforeſaid, of any manors, lands, rents, &c. in poſſeſſion, reverſion or remainder, or of any rents or ſervices incident to any reverſion or remainder, holden of the King by Knight-ſervice, and not in chief, or of any other perſon by Knight-ſervice, may give, diſpoſe,

diſpoſe, will, or deviſe to any perſon, (except to bodies politick) by his laſt Will and Teſtament in writing, or by act, executed in his life, ſolely or joyntly, as aforeſaid, two parts thereof, or any rents, common, or profits, to be perceived out of the ſame two parts, or out of any part thereof, &c. And ſuch Will ſhall be good for ſuch two parts, albeit it be made of the whole lands ſo holden, or of more then the ſaid two parts; and ſhall alſo be good for all lands not holden in Knight-ſervice, and for all rents, commons, and other profits, to be perceived out of the ſame.

XIX. Here alſo, the diviſion of the third part is to be made, as before, where it concerns the Kings Intereſt, but where it concerns other Lords, the diviſion ſhall be by Commiſſion out of the Chancery, if ſuch Lords and the parties in the mean time cannot agree thereupon.

XX. The ſavings (in this Act, and in that of 32 H. 8. 1.) of cuſtody, wardſhip, reliefs and *primer ſeiſin* to the King, and of cuſtody and wardſhip to other Lords, ſhall be expounded thus: That the King ſhall have for his full third part ſuch Manors, Lands and Tenements, as ſhall deſcend, as well in fee-tail, as in fee-ſimple, to the heir of the perſon, that made ſuch Will or diſpoſition, as aforeſaid; and that the will or gift of the two parts ſhall be good in Law, albeit no will or gift be made of all the Fee-ſimple lands, or the more part thereof: Howbeit if the King have not a full third part left him, he ſhall take out of the two parts ſo much as ſhall make it up, to be ſevered by commiſſion, as aforeſaid; and ſuch advantage alſo ſhall be given to other Lords for their third parts; and the like ſhall both the King and they do, in caſe their third parts, or any parcel of them be detained from them or determined.

XXI. A Pardon of alienation muſt be ſued by thoſe to whom the lands are deviſed, for which they ſhall pay a third part of the value of the lands, holden in chief; and this Act ſhall be ſufficient warrant for the Lord Chancellor to grant ſuch pardons under the great Seal, without further ſuit to be made to the King for the ſame.

XXII. Wills or Teſtaments of Manors, Lands, &c. made by *femes covert*, Infants, Idiots, or perſons of *non ſane* memory, ſhall not be good in Law.

XXIII. If any perſon or perſons ſhall (by will or act executed) give any eſtate for years, life or lives, with one remainder over in tail, or with divers remainders over for term of life, years, or in tail, with a remainder over in Fee-ſimple, or any other eſtates, conditions, meſnalties, tenures or conveyances, by Fraud and Covin, to the

the intent to defraud the King of his Prerogative, *primer ſeiſin*, liv-
ry, relief, wardſhip, marriages, or rights, or any other Lords of their
wardſhips, reliefs, heriots, or other profits, and ſuch eſtates, or other
conveyances be found by office to be ſo made by covin, fraud, or de-
ceit: In this caſe, the King ſhall enjoy his Prerogative and pro-
aforeſaid, according to this and the ſaid former Act (notwithſtand-
ing ſuch eſtates or conveyances) until ſuch office be annulled by re-
verſe, or otherwiſe: Alſo other Lords ſhall have their remedy in
ſuch caſes, for their wardſhips, by writ of right of ward, and ſhall
diſtrain, and make avowry, or conuſance by themſelves or their
Bailiffs, for their reliefs, heriots, and other profits, as if no ſuch
eſtate had been made: Howbeit the right and title of the Donees,
Feoffees, Leſſees, and Deviſees thereof, againſt the Deviſors and their
heirs, after the intereſt of the King and other Lords determined, is
ſaved.

XXIV. Provided, that every perſon, from whom the King or other
Lord ſhall take any Manors, Lands, &c. for their third part, or to
make it up, may have relief in Chancery againſt every perſon, that
ſhall be intituled (by any ſuch will or gift) to the other two parts,
to have ſuch contribution for the ſame, as the Lord Chancellor or
Keeper ſhall think convenient.

VVines.

1. **The Statute of Gloucester, 15. 6 E. 1.** The Mayors,
Bailiffs, (*now Sheriffs*) of *London*, before the coming of the Juſtices
(*which ſhould be at their riſing after* Candlemas-*term, as appears*
14. *Chapter of this Statute*) ſhall inquire of Wine ſold against the
Aſſize, and ſhall preſent it before them at their coming, and
they ſhall be amerced, whereas they were wont to carry, until the
coming of the Juſtices. *Obſolete.*

* II. **Stat. 4 E. 3. 12.** None ſhall ſell Wines but at a reaſon-
able price, according to the price at the Ports from whence they
come, and the expence of their carriage to the places where they are
ſold: Tryal ſhall be made of ſuch Wines twice a year, *viz.* at *Eaſ-*
ter and *Michaelmas*, and Officers, if need require, by the Lords of
Towns, and their Bailiffs, and likewiſe by Mayors and Bailiffs, and
all corrupt Wines ſhall be poured out, and the veſſel broken; and
the Chancellor, Treaſurer, Juſtices of the Benches, and Juſtices of
Aſſize, ſhall have power to inquire of Mayors, Bailiffs, and Maſ-
ters of Towns, that do not obſerve this Ordinance, and to punish
them as reaſon requires.

Sta-

* III. Stat. 27 E. 3. Stat. 1. cap. 5. No Engliſh Merchant ſhall foreſtall *Gaſcoign* Wines, nor buy them of any *Gaſcoign* or other, to ſay in *England*, for any greater price, then they are commonly ſold at in *Gaſcoign* (becauſe of Preſt, peril of the Sea, and by any other colour) in pain of life and member, and to forfeit their Wines, Goods and Chattels to the King, and their lands to the chief Lords: *But here the felony and forfeiture of Lands are repealed by* 37 E. 3. 16. *Ob.*

IV. *Cap.* 6. *Gaſcoign* Merchants, and other ſtrangers, may bring their Wines to what Port of *England* they pleaſe; ſo as the Kings Butler may make purveyance for Wines of Aliens, making payment for them within 40 days. *Ob.*

V. *Cap.* 7. No Engliſh Merchant ſhall buy Wines in *Gaſcoign* before the Vintage: Nor then, but at *Burdeaux* and *Bayon*, upon the pain mentioned in the 5th. Chapter. *But that as to the felony and forfeiture of Lands is repealed by* 37 E. 3. 16. *as aforeſaid. Obſolete.*

* VI. Stat. 37 E. 3. 16. The felony and forfeiture of Lands inflicted by 27 E. 3. 5. & 7. are repealed, and inquiry ſhall be yearly made within the Kings dominions in *Gaſcoigne* of *Couchers* of *England*, who lie there to buy Wines. *Obſolete.*

VII. Stat. 38 E. 3. 10. A confirmation of the Statutes made for wines. *Obſolete.*

VIII. Stat. 38 E. 3. 11. All Merchants, Denizens, that be not Officers, may go into *Gaſcoign*, to fetch wines, and Aliens may bring wines into this Realm.

IX. Stat. 43 E. 3. 2. Engliſh, Iriſh, and Welſh-men (being not Officers) may fetch wine in *Gaſcoigne*, ſo as they find ſureties to bring 100 Tun of their own goods, and to bring the ſame into *England*, *Ireland* or *Wales*.

X. Stat. 6 R. 2. Stat. 1. 7. Sweet wines ſhall be ſold in *England* at ſuch price, that *Gaſcoign* and *Rhenish* wines are ſold for, and not above, in pain to forfeit the ſame.

XI. Stat. 23 H. 6. 18. No new impoſitions ſhall be laid upon Merchants that buy wines in *Gaſcoigne* and *Guienne*, by any of the Kings Officers in thoſe parts, in pain of 20 *l.* and treble damages. *Obſolete.*

* XII. Stat. 28 H. 8. 14. The Lord Chancellor, Treaſurer, Preſident of the Council, Privy-Seal, and the two chief Juſtices, or five, four, or three of them, have power, at their diſcretions, to ſet the prices of all kinds of wines, *viz.* of the But, Tun, Pipe, Hogſhead, Puncheon, Tierce, Barrel or Runlet, when they ſhall be ſold in groſs; ſo as they cauſe the prices ſo ſet to be written, and openly

proclaimed in Chancery in the Term-time, or elſe in the City, Burrough or Town, where any ſuch wines are ſold in groſſe.

XIII. None ſhall ſell wine otherwiſe, then according to the prices ſo ſet and proclaimed, as aforeſaid, in pain to forfeit 40 l. for every veſſel otherwiſe ſold, to be divided (in a Corporation) betwixt the King and the Head Rulers there, but (out of a Corporation) betwixt the King and the Proſecutor.

XIV. Juſtices of Peace and Head Officers have power to hear and determine the defaults of all ſuch as ſell wine in groſſe, or by retail contrary to this Act.

XV. Stat. 32 H. 8. 23. The great Officers appointed by the Statute of 28 H. 8. 14. to ſet prices upon wines, ſhall ſo ſet them between the 20. day of *November* and the laſt day of *December*, and at no time elſe; and none, that ſell wines either in groſſe, or by retail, ſhall ſell them above thoſe prices, upon the penalties in the ſaid Statute of 28 *H.* 8. contained.

XVI. If any refuſe to ſell their wines accordingly; In *London*, the Mayor, Recorder and two ancient Aldermen, being no Vintners, and in other places, the Mayor, Bailiffs, Aldermen, or other Officers, whereof the chief Officer is to be one, may enter the houſes of ſuch perſons, and ſell their wines at the prices ſo aſſeſſed, as aforeſaid.

☞ XVII. Stat. 7 E. 6. 5. None ſhall utter wine by retail in any other places then in Cities, Burroughs, Port Towns, or Market Towns, or in *Graveſend*, *Sittingborn*, *Tuxford* or *Bagſhot*, in pain to forfeit ten pounds for every day that they ſell Wine otherwiſe.

XVIII. None ſhall utter wine by retail in any City, Burrough or Corporation, but by licence of the moſt part of the Common Council, Aldermen, Burgeſſes, or Commonalty there, under their common ſeal, nor in any City, Burrough, Port-Town, or Market Town not corporate, or in *Graveſend*, *Sittingborn* or *Bagſhot*, without licenſe of the Juſtices of Peace of the County in Seſſions, under their ſeal, in pain to forfeit 5 l. for every day that they ſell wine otherwiſe, which ſaid Officers, Commonalty and Juſtices, have power to continue or change ſuch licences at their diſcretions; but ſhall not licenſe above two in one place, in pain to forfeit 5 l. a piece, except in theſe hereafter following, in which it ſhall be lawful to licenſe more then two, *viz.* in

Londo

London	40	Shrewsbury	3	Southampton	3
York	8	Exeter	4	Canterbury	4
Norwich	4	Salisbury	3	Ipswich	3
Westminster	3	Glocester	4	Winchester	3
Bristol	6	Westchester	4	Oxford	3
Lincoln	3	Hereford-East	3	Cambridge	4
Hull	4	Worcester	3	Colchester	3
				Newcastle	4

XIX. None shall sell or utter wine by retail to be spent in his or their Mansion-house, or in any other place in their tenure, by any colour, craft or engine, in pain of 10 l.

XX. The aboveſaid forfeiture shall be divided betwixt the King and the Proſecutor.

XXI. Juſtices of Peace within every County and Corporation in Seſſions, Stewards in Leets, and Sheriffs in their turns, have power to enquire (by the oaths of 12 men) of all offences committed againſt this Act; in which caſe the forfeitures, which shall thereupon grow due, shall be divided betwixt the King and the poor of the Town or place, where the preſentment shall be found.

XXII. This Act shall not prejudice the liberties of either of the Universities, nor charge any perſon offending, unleſs the ſuit be proſecuted within a year.

XXIII. Stat. 12 Car. 2. cap. 25. None shall ſell or utter wines by retail, upon pain to forfeit 5 l. the one moyety to the King, the other to him that shall ſue for the ſame.

XXIV. The King may grant Commiſſion to two or more perſons, who may licenſe and authoriſe the ſelling of Wine by retail, according to the rules and directions in this Act, and not otherwiſe.

XXV. Such perſons Commiſſionated, shall be called the Kings Agents for granting wine Licenſes, and may grant Licenſes not exceeding 21 years, if the party licenſed ſo long live, under a Rent yearly, but no fine to be paid.

XXVI. Licenſes shall be granted only to ſuch perſons as uſe the Trade of ſelling Wines by retail, or to the Landlord of the houſe; and may not be aſſigned, nor shall indempnifie any againſt the penalties of this Act, ſave the firſt taker.

XXVII. They may appoint Officers for managing that ſervice, ſo as their Sallaries exceed not 6 d. in the pound of the yearly Revenue ariſing hence,

XXVIII. The ſaid Revenue ſhall be paid into the Exchequer and not to be charged with any gift or Penſion; and the Agents ſhall every Michaelmas Term, return into the Exchequer, what Licenſes they have granted, and the Rents reſerved and paid, and the arrears, to the end Proceſſe may iſſue for the ſame.

XXIX. Proviſo, not to extend to prejudice any priviledges of the two Univerſities: nor to prejudice the priviledges of the Society of Vintners *London*, nor any other Town Corporate: nor the Burrough of St. *Albons*, in their priviledges granted by Letters Patents of Queen *Elizabeth*, for maintenance of the Free-School there.

XXX. No Officer appointed by the King for this ſervice ſhall receive any Fees or Rewards, for the ſame other then 5 s. for a Licenſe, 4 d. for an Acquittance, and 6 d. for a Bond, upon pain of 10 l. one moyety to the King, the other to the perſon that will ſue for the ſame.

XXXI. None ſhall abuſe or mix any wines, with any other Ingredients, upon pain of forfeiture of 100 l. by every Merchant, Wine-Cooper, or other ſelling wines in groſſe. And 40 l. by every perſon ſelling wines by retail for ſuch mixing, corrupting or abuſing of wines: the one moyety to the King, the other moyety to the perſon that ſhall ſue for the ſame.

XXXII. No Canary wines, Muskadel, or Alegant, ſhall be ſold within *England*, *Wales*, or *Berwick*, by retail, for above 18 d. the quart: No *Gaſcoigne* or French wines, for above 8 d. the quart. No Rheniſh wines for above 12 d. the quart; and ſo proportionably for more or leſs quantity, upon pain of 5 l. forfeiture for every Stand quart, &c. or other meaſure ſold for more: the one moyety to the King, the other moyety to him that ſhall ſue for the ſame.

XXXIII. Provided, the Lord Chancellor, &c. may ſet the prizes of wines yearly, or alter the ſame; and in default of ſuch ſetting of Prizes, the Rates ſet by this Act, to continue under the penalties recoverable as aforeſaid.

XXXIV. See Poſt-Office. Numb. 4.

VWitneſſe.

I. Stat. 12 E. 2. 2. When a deed or other writing is denyed in Court, wherein witneſſes are named, Proceſſes ſhall be awarded to cauſe them to appear; and if they come not at the great diſtreſs returned, or the return be, that they have nothing, or that they cannot be found, yet the Enqueſt ſhall proceed; but if the witneſſes appear at the great diſtreſs, and the Enqueſt for ſome cauſe remain

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taken, the witneſſes ſhall have like day given, as is aſſigned for the taking of the Enqueſt, when if they appear not, the iſſues firſt returned upon them ſhall be forfeit; and the taking of the Enqueſt ſhall not be deferred becauſe of their abſence, neither yet for the abſence of witneſſes dwelling in a Franchiſe where the Kings writ runs not.

II. **Stat. 5 El. 9.** *Pars inde.* None ſerved with proceſs out of a Court of Record, to teſtifie a witneſs (being tendered convenient charges, and having no reaſonable let) ſhall therein make default, in pain to forfeit to the party grieved 10 *l.* and beſides to yield him ſuch further recompence, as the Judge of the ſame Court ſhall think fit, according to the damage ſuſtained: which ſaid ſums ſhall be by him recovered in any Court of Record by Action of debt, in which no wager, eſſoin, &c. ſhall be allowed.

☞ Wood.

Stat. 35 H. 8. 17. In every ſeveral Wood, called Copice, or Underwood, which ſhall be felled at 24 years growth or under, there ſhall be left unfelled for every acre thereof 12 Standils of oak, and in caſe there ſhall not be ſo many Oaks, that number ſhall be made up of Elm, Aſh, Aſpe, or Beech, which Standils or Storers ſhall not be cut down until they ſhall bear ten Inches ſquare within a foot of the ground; in pain that every owner of ſuch woods, ſhall forfeit for every Standil not ſo left, 3 *s.* 4 *d.* and alſo for every ſuch Standil ſo left and afterwards cut down, as much: Both which forfeitures ſhall be divided betwixt the King and the Proſecutor.

II. Underwoods felled at 14 years growth or under, ſhall during 7 years next after the 20. of *April* after their felling be preſerved from deſtruction of Cattel, in pain that the owner thereof ſhall forfeit for every rood thereof unfenced for every month 3 *s.* 4 *d.* And Underwoods above 14 years growth, and under 24. being ſo felled, ſhall during 6 years next after the 20. of *April*, after ſuch felling be ſo preſerved, as aforeſaid, upon the like pain.

III. None ſhall convert into Paſture or Tillage, any ſuch underwood or Copice, containing two Acres or above, and being two furlongs diſtant from the houſe of the owner thereof, or from the houſe, whereunto ſuch wood doth appertain, in pain to forfeit 40 *s.* for every Acre ſo converted.

VI. The owner of Copices above twenty four years growth, ſhall at the felling thereof, leave 12 ſuch Standils of Oak, or otherwiſe of Elm, Aſh, Beech or Aſp, as aforeſaid, in pain to forfeit 6 *s.* 8 *d.*

for

for every Standil not so left: And shall not cut them down before they are of two years growth, in pain of 6 s. 8 d. for every one so cut down: And farther shall preserve such underwoods seven years after their felling from the destruction of Cattel by fencing; in pain to forfeit for every rood thereof unfenced for every month 3 s. 4 d.

V. Howbeit, the owner of such underwoods may fell such Standils as aforesaid for his own use, for building, repairing, inclosing, and maintaining of houses, orchards or gardens, or for pailing, railing, or inclosing of Parks, Forests, Chases, or other grounds, or for making or repairing of Water-works, Dams, Bridges, Floodgates, Ships, or other Vessels, notwithstanding this Act.

VI. Where there is such a Wood or Copice, wherein others have common, the Lord (owner of the soil) shall not fell or cut down the same (except to his own use) before he and the Commoners shall agree in the setting out of a fourth part thereof to be severally inclosed for the Lorde use: And in case he cannot agree thereupon, two Justices of Peace appointed by the more part of the Justices in Sessions shall have power to call together twelve of the Commoners, and Inhabitants there, and with the Lords and their consent to set out the fourth part thereof to be severally inclosed by the said Lord within one month after, and then to be felled at his pleasure: and also to be subject to the aforesaid laws of other Copices, upon such penalties as aforesaid: Only if any Beast be suffered to come into such fourth part within seven years after they are felled, the owner of such cattel shall forfeit for every such beast 4 d. And if the owner of such wood or copice cut down any trees or underwoods there, contrary to the form aforesaid, he shall forfeit for every tree so cut down 6 s. 8. d.

VII. The said forfeitures are to be converted in any Court of Record, and to be divided betwixt the King and the Prosecutor.

VIII. Here during the said seven years next after such felling of such fourth part, the Commoners shall be excluded for commoning therein, so also shall the Lord be declared to common in the residue. But after the said seven years expired, both the Lord and Commoners may intercommon in the whole, as they did before the division.

IX. Provided, that every one may fell and inclose all such his copice, or underwoods in waste grounds, as before this time have used to be inclosed, and preserved for the maintenance of wood and underwood, notwithstanding this Act.

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X. The Commoners alſo (in caſe the ſaid Lord do not fell his fourth part within four months after ſuch diviſion) may common in the ſaid part untill it be felled.

XI. This Act ſhall not extend to Underwoods in the wildes of *Kent*, *Surrey*, and *Suſſex*, ſave onely to the common Woods there.

XII. Neither ſhall it extend to any Timber-trees, growing within two miles of the Sea, in *Cornwall*, dead at the top, or taken by the Kings Commiſſion: Neither ſhall any offender be puniſhable by this Act, unleſs he be proſecuted within one year after the offence committed.

XIII. None ſhall break or deſtroy any fence or hedge made for the ſaving of any ſuch Woods or Underwoods, in pain of 10 *s.* Neither ſhall any ſuffer his Swine (of the age of 10 weeks or above) to go or run in any ſuch Grounds or Woods, unringed or unpegged, in pain to forfeit for them 4 *d* a piece, which ſaid forfeitures (in the Kings Woods) ſhall be divided betwixt the King and the finder; But (in other woods) betwixt the owner and the field, and the Proſecutor.

XIV. Underwoods in a Park ſhall be preſerved by fencing only 4 years after the felling thereof.

XV. If ſuch Woods happen to be deſtroyed by the means of a ſtranger, and not by the owner himſelf or by his neglect, the ſtranger ſhall be ſubject to the penalties of this Act, and not the Owner.

XVI. Yearling Colts or Calves may be put into ſuch Woods within two years after the felling thereof.

XVII. **Stat.** 1 *El.* 15. None ſhall convert or imploy to Coal or other fuel, for the making of Iron, any Timber-tree, or trees of Oak, Beech, or Aſh, of the breadth of a foot ſquare at the Stubs, and growing within 14 miles of the Sea, or of any part of *Thames*, *Severn*, *Wye*, *Humber*, *Dee*, *Tine*, *Tees*, *Trent*, or other Navigable River, in pain to forfeit 40 *s.* for every Tree ſo converted, to be divided betwixt the King and the Proſecutor.

XVIII. This Act ſhall not extend to *Suſſex*, the wilde of *Kent*, or to the Parishes of *Charlewood*, *Newdigate* or *Leigh* in the wilde of *Surrey*.

XIX. **Stat.** 13 *El.* 25. All Woods or Copices intended by the Statute of 35 H. 8. 17. to be encloſed, and the ſprings thereof preſerved, ſhall be ſo ſaved by the ſpace of two years more then in the ſeveral clauſes of the ſaid Act is ſeverally limited, according to the age of ſuch Woods felled, upon ſuch pains, as in the ſaid

Acts

Acts are contained; And none shall put any Cattel into any such Copice woods from the time of their sale, untill the end of five years, nor from the end of five years until the end of six years, any Cattel but Calves and yearling Colts only, untill the end of six years, if the wood was under 14 years growth at the last fall, or until the end of 8 years, if it was above 14 years growth. And this Addition shall continue as long in force, as the said Statute of 35 H. 8. 17.

XX. Stat. 23 El. 5. None shall convert into Coal or other fuel for the making of Iron or Iron Metal, any Wood or Underwood, growing within the compass of 22 miles of *London*, or the Suburbs thereof, or of the River of *Thames* from *Dorchester in Com. Oxon.* downwards, or within four miles of the foot of the *Downs*, betwixt *Arundel* and *Pemsey in Com. Sussex*, or of *Winchelsey*, or *Rye*, or within two miles of *Pemsey*, or three miles of *Hastings*: in pain to forfeit for every load so converted 40 s. to be divided betwixt the Queen and the Prosecutor.

XXI. This Act shall not extend to any woods growing in any such part of the weldes of *Surrey*, *Sussex*, or *Kent*, within 22 miles of *London* or *Thames*, as is distant above 18 miles from *London* or *Thames*.

XXII. No new Iron-works, shall be erected within 22 miles of *London*, 14 miles of *Thames*, or four miles of the said *Downs*, *Pemsey*, *Winchelsey*, *Hastings*, or *Rye*, in pain of 100. *l.* to be imployed as aforesaid.

XXIII. This Act shall not extend to the woods of *Christopher Darrel* Gentleman, in *Newdigate*, in the weld of *Surrey*.

XXIV. Stat. 27 El. 19. None shall make or set up within the Counties of *Sussex*, *Surrey*, or *Kent*, any Iron Mill, Furnace, Finary, or Blomary, for the making of Iron or Iron Mettal, other then upon some old Bayes or Pens, whereupon such works have been lately standing, or else upon such land, where such works may be competently furnished with sufficient supply of the parties own wood growing upon his own soil, being his in fee-simple, fee-tail, or for life, without impeachment of waste; nor shall convert to Coal or other Fuel for the making of such Iron, or Iron-Mettal, any sound Timber-tree of Oak, Ash, or Elm, which will bear a foot-square at the stub, or any part thereof; in pain to forfeit for every such new work set up 300 *l.* and for every Timber-tree so converted 40 *s.* to be divided betwixt the King and the Prosecutor.

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XXV. Howbeit, the lops and offal of such Timber-trees, may be converted to Coal for the purposes aforesaid within the weals of *Sussex*, *Surrey*, and *Kent*; so as it be not within eighteen miles of *London*, eight miles of *Thames*, four miles of *Rie* or *Winchelsey*, 3 miles of *Hastings*, or 4 miles of the foot of the *Downs*, betwixt *Arundel* and *Pemsey* aforesaid.

XXVI. **Stat. 15 Car. 2. Cap. 2. Stat. 3.** Reciting the Statute 43 *El.* Cap. doth not sufficiently prevent nor punish the cutting & spoiling of Woods. Enacted, that every Constable, Headborough, and other person in every County, City, or other place where they shall be Officers or Inhabitants, shall and may apprehend, or cause to be apprehended, every person they shall suspect, having, carrying, or conveying any burden or bundel of Wood, Poles, young Trees, Bark, Rust of Trees, Gates, Stiles, Posts, Pales, Rails, or Hedge-wood, Broom, or Furze.

XXVII. And by Warrant under the hand and seal of any one Justice of the Peace, directed to any Officer, such Officer may enter into, and search the houses, yards, gardens, and other places belonging to the houses of every person or persons they shall suspect to have any kind of such Wood, or other the said Trees, &c. and where they shall find any such, to apprehend every person suspected for cutting and taking the same, and as well those apprehended, carrying any kind of wood or other the trees and premisses: as those in whose houses, or other places belonging to them, any of the same shall be found to carry before any one Justice of the Peace of the same County: And such persons suspected, do not give a good accompt how they came by the same by the consent of the owner, such as shall satisfie the said Justice, or within some convenient time to be set by the said Justice, produce the party of whom they bought the said wood, or some credible witness upon Oath, to prove such sale, which Oath the said Justice may administer, then such persons so suspected, and not giving such good accompt, nor producing such witness, shall be adjudged as convicted, for cutting and spoiling of woods, underwoods, poles, trees, gates, stiles, posts, pales, rails, hedge-wood, broom or furze, within the meaning of the said Statute of Queen *Elizabeth*, and liable to the punishments therein, and of this Act appointed.

XXVIII. Every person so convicted, shall for the first offence, give the owner satisfaction for his damages within such time as the Justice shall appoint, and over and above, pay down to the Overseers of the poor of the Parish where such offence is, such sum of mony (not

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XXVII. And by Warrant under the hand and seal of any one Justice of the Peace, directed to any Officer, such Officer may enter into, and search the houses, yards, gardens, and other places belonging to the houses of every person or persons they shall suspect to have any kind of such Wood, or other the said Trees, &c. and where they shall find any such, to apprehend every person suspected for cutting and taking the same, and as well those apprehended, carrying any kind of wood or other the trees and premisses: as those in whose houses, or other places belonging to them, any of the same shall be found to carry before any one Justice of the Peace of the same County: And such persons suspected, do not give a good accompt how they came by the same by the consent of the owner, such as shall satisfie the said Justice, or within some convenient time to be set by the said Justice, produce the party of whom they bought the said wood, or some credible witness upon Oath, to prove such sale, which Oath the said Justice may administer, then such persons so suspected, and not giving such good accompt, nor producing such witness, shall be adjudged as convicted, for cutting and spoiling of woods, underwoods, poles, trees, gates, stiles, posts, pales, rails, hedge-wood, broom or furze, within the meaning of the said Statute of Queen *Elizabeth*, and liable to the punishments therein, and of this Act appointed.

XXVIII. Every person so convicted, shall for the first offence, give the owner satisfaction for his damages within such time as the Justice shall appoint, and over and above, pay down to the Overseers of the poor of the Parish where such offence is, such sum of mony (not

exceeding 10 s. as the ſaid Juſtice ſhall think meet: in default of either of which payments, the ſaid Juſtice may commit ſuch offendor to the houſe of Correction, for ſuch time (not exceeding one month) as he ſhall think fit, or to be whipt by the Conſtable or other Officer, as in his judgement ſhall ſeem expedient.

XXIX. And if ſuch perſons ſhall again commit the ſaid offence, and be thereof convicted as before; that then the perſons offending the ſecond time, and convicted, ſhall be ſent to the houſe of Correction for one month, and there be kept to hard labour: And for the third offence, convicted as before, ſhall be adjudged and deemed as Incorrigible Rogues.

XXX. Provided alſo, whoſoever ſhall buy any burdens of wood, or any the premiſſes mentioned in this Bill, ſuſpected to be ſtolen, or unlawfully come by, the Juſtices, Mayors, or chief Officers, or any one of them within their reſpective Juriſdictions, upon complaint, may examine the matter upon Oath. And if they find the ſame was bought of any perſon ſuſpected to have ſtoln, or unlawfully come by the ſame, then any one of the ſaid Juſtices or chief Officer, ſhall and may award the party that bought the ſame, to pay treble the value thereof to the party from whom the ſame was ſtoln, or unlawfully taken: And in default of preſent payment, to iſſue forth their reſpective Warrants to levie the ſame by diſtreſs, and ſale of the offendors goods, rendring the overplus to the party: And in default of ſuch diſtreſs, to commit the party to the Gaol, at his own will, there to remain one month without bail.

XXXI. Provided, no perſon be queſtioned for any offence within this Act, unleſs within 6 weeks after the offence committed.

☞ Wools.

I. Stat. 18 E. 3. Stat. 2. 3. Every man (as well ſtranger as other) may buy Wools, as they can agree with the ſeller thereof.

Statutum Stapul. Cap. 12. None ſhall tranſport Wools, Leather, or Woolfels to *Berwick*, or elſewhere into *Scotland*; neither ſhall any ſell Wooll, Woolfels or Leather to any *Scotch-man*, or to any other to be tranſported into *Scotland*, upon the pains contained in the third Article of this Statute, *which ſee in* Merchants.

Stat.

* III. Stat. 31 E. 3. 2. No wools ſhall be bought by fraud to abate the price thereof, upon grievous forfeiture: alſo balances and weights for wools (*viz.* of the ſack, half ſack and quarter; pound, half pound, and quarter) ſhall be ſent to all the Sheriffs of *England*, according to which every perſon ſhall make theirs without fee or reward, and none ſhall buy or ſell by any other weight, in pain to be fined at the Kings will.

IV. Stat. 31 E. 3. 8. No buyer of wools ſhall make any other uſuſe of wools, then hath been heretofore uſed, *viz.* of cote, gare, and villain fleeces: and every ſack ſhall contain 26 ſtone, and the ſtone 14 pound, according to the Standard of the Exchequer: alſo all wools, fels, and leather bought in the Countrey ſhall be brought to the ſtaples, and there ſhall remain 15 dayes at leaſt, and thoſe that cannot be ſold in that time, ſhall be brought to the Ports ordained for the ſtaple, to be tranſported beyond Sea, paying the due Cuſtoms and Subſidies, *viz.* for a ſack of wool 50 *s.* for 300 woolfels 50 *s.* and for a laſt of leather 100 *s.*

V. No wools vendible ſhall be lodged, ſhewed, or ſold, within 3. miles of the Staple: Howbeit, every one (but a Merchant) may lodge, ſhew, and ſell his wools, (being of his own growing) in his own houſe, or elſewhere at his pleaſure.

VI. Stat. 31 E. 3. 9. The Chancellor and Treaſurer with the advice of others of the Kings Council ſhall have power to defer the tranſportation of wools, when they ſee it needful.

VII. Stat. 34 E. 3. 19. No Cuſtom or Subſidy ſhall be paid for Canvas to pack Wool in.

VIII. Stat. 36 E. 3. 11. All Merchants may tranſport wools without reſtraint, and no Subſidy or other charge ſhall be from henceforth ſet, or granted upon wools by Merchants or others, without aſſent in Parliament.

IX. Stat. 38 E. 3. Stat. 1. 16. A repeal of the Felony impoſed by the Statute of the Staple, Cap. 3. 27 E. 3. (*which ſee in* Merchants) for tranſporting of wools, &c. by Engliſh-men, but the forfeiture of lands and goods ſhall ſtand.

X. Stat. 43 E. 3. 1. Whereas the ſtaple of wools, &c. hath been holden at *Calice* ſince the firſt of *March*, *Anno* 37 E. 3. That ſtaple ſhall be wholly put out, and the ſtaple ſhall be holden in theſe places following, *viz.* at *Newcaſtle*, *Kingſton* upon *Hull*, Saint *Botolph* (*alias Boſton*) *Yarmouth*, *Quinborough*, *Weſtminſter*, *Chicheſter*, *Wincheſter*, *Exeter*, and *Briſtoll*, and the ſtaples of *Ireland*, and *Wales*, ſhall be kept at the places where they were firſt ordained: *Obſolete.*

Stat.

XI. Stat. 45 E. 3. 4. No impoſition or charge ſhall be put upon wools, woolfels, or leather (other then the cuſtom and ſubſidy granted to the King) without aſſent of Parliament.

XII. Stat. 13 R. 2 9. *pars inde.* None ſhall buy or ſell wool of more weight, then at 14 pounds to the ſtone, in pain to forfeit the double to the party grieved, and to make fine to the King.

XIII. None (Alien or Denizen) ſhall make any other refuſe of wool, but Cot, Gare, or Villein.

XIV. None ſhall buy wools by theſe words, *good packing*, or the like, in pain that the Broker ſhall ſuffer half a years impriſonment, and the buyer ſhall make fine to the King, and recompence the party grieved his double damages: neither ſhall any cauſe wools to be socketed, but in the owners name, in pain to forfeit the ſame.

XV. Stat. 2 H. 5. Stat. 2. 6. Merchandiſe of the Staple, as wools, fels, leather, lead, or tin, ſhall not be tranſported beyond Sea without the Kings licence, untill they be firſt brought to the ſtaple, in pain to forfeit the ſame: *Obſolete.*

XVI. Stat. 8 H. 5. 2. Every Merchant-ſtranger buying wools in *England* to convey them to the Weſt-parts or elſewhere, and not coming to the ſtaple to ſell them there, ſhall bring to the Maſter of the Mint for every ſack an ounce of Gold Bullion, and for every 100 pieces of tin another ſuch ounce of Bullion, or the value in Silver Bullion; in pain to forfeit ſuch wool and tin, or the value thereof to the King: *Obſolete.*

XVII. Stat. 8 H. 6. 22. No Alien ſhall cauſe any wools (which he intends to convey out of the Realm) to be forced, clacked or bearded; in pain to forfeit the ſame, together with the double value thereof, and beſides to be impriſoned.

XVIII. Every Wool-packer ſhall make good and due packs, and neither he nor any other ſhall make any inwinding within the fleece at the rolling thereof, nor put therein any locks, pelt-wool, ſtone, ſand, earth, glaſs, or dirt, in pain that the party grieved ſhall have his action of Treſpas and deceit againſt ſuch offender at the common Law.

XIX. Stat. 14 H. 6. 5. Wools and all other Merchandiſe in Creeks to be tranſported beyond Sea, ſhall be forfeited, whereof the King ſhall have the one moyety, and the finder the other: *Obſolete.*

XX. Stat. 23 H. 8. 17. None ſhall winde any fleece of wool not ſufficiently rivered or waſhed, nor winde therein any Clay, Lead, Stones, Sand, Tails, deceitful locks, cot, calls, comber, lamb wool, or any other thing, whereby the fleece may be more weigh-

the deceit of the Buyer, in pain that the Seller of any ſuch deceitful wooll ſhall forfeit for every fleece 6 d. to be divided betwixt the King and the finder.

XXI. This Act ſhall not extend to ſuch Counties, where the Inhabitants have not cuſtomably uſed to river or waſh their ſheep before they be ſhorn, nor to any perſons who have uſed to ſell their wooll by tail, or number of the fleeces, and not by weight.

XXII. **Stat.** 37 H. 8. 15. All perſons are reſtrained to buy woolls in *Norfolk*, and divers other Countries there mentioned, except Merchants to convey them to the Staple, or others to convert them into Yarn, Hats, Girdles, or Cloth: *But this Statute is now repealed.*

XXIII. **Stat.** 1 E. 6. 6. Every perſon dwelling in *Norfolk* or *Norwich* may buy woolls of *Norfolk* growth, as well as they might have done before the Statute of 37 H. 8. 15. ſo as they ſell or retail the ſame again in ſome open Market or place in *Norfolk* or *Norwich*, to ſome perſon or perſons (dwelling alſo there) that will there ſpin the ſame.

XXIV. **Stat.** 2, 3 P. M. 13. Any Inhabitant of *Halifax* may buy wools (otherwiſe then by ingroſſing and foreſtalling) ſo as they carry the ſame to *Halifax*, and there ſell it to ſuch poor people of that, or other Pariſhes adjoyning; as (to their knowledge) ſhall work them in cloth or yarn; and not to the rich Clothier, nor any other to ſell again.

XXV. If the Wooll-driver ſhall ſell his wools out of *Halifax*, or if any buy wools in *Halifax*, to ſell the ſame unwrought in yarn or cloth, every ſuch offendor ſhall forfeit the double value of the wools ſo ſold or uttered, whereof the King and Queen is to have one moyety, and the Proſecutor the other: And Juſtices of Peace in Seſſions have power to hear and determine theſe offences.

XXVI. **Stat.** 12 Car. 2. cap. 32. None ſhall export any ſheep, or lambs, woolfels, mortlings, yarn, Fullers earth, fulling-clay, nor carry, ſend or convey the ſame to be tranſported, upon ſeveral penalties, as well upon the owners of ſhips, as the perſons that ſhall convey the ſame. See the Act at large.

XXVII. **Stat.** 14 Car. 2. cap. 18. None ſhall export any ſheep, wool, woolfels, mortlings, ſhorlings, yarn made of wool, wool-flocks, fullers earth, fulling-clay, nor Tobacco-pipe clay.

XXVIII. Juſtices of Aſſiſe, Goal-delivery, and Juſtices of the Peace, at their Quarter-Seſſions, may hear and determine offences againſt the ſaid Act.

XXIX. Stat. 14 Car. 2. cap. 19. No Forreign Wool-cards, Card-wire, or Iron for Wool-cards shall be imported, nor used in *England* or *Wales*.

Women, Widows, Wives and Maids.

I. Magna Charta, 7, 9 H. 3. A Widow immediately after her husbands death shall have her marriage and inheritance, and shall give nothing for her dower, marriage, or inheritance which her husband and she held the day of his death.

II. Also she shall remain in the chief house of her husband forty dayes after his death, if the house be not a Castle, within which 40 dayes her dower shall be assigned her, if it were not assigned her before.

III. If the house be a Castle, and she depart from thence, then shall a convenient house be forthwith provided for her, where she may conveniently dwell, until her Dower be assigned, and in the mean time she shall have reasonable estovers of the common: and for her dower shall be assigned unto her the third part of all the land which was her husbands in his life time, unless she were before endowed of less at the Church door.

IV. No widow shall be distrained to marry her self, while she will live without a husband: Howbeit, she shall find surety, that she shall not marry without the Kings licence and assent, if she hold of the King, nor without the assent of the Lord, if she hold of another.

V. Prerog. Regis, 4. 17 E. 2. The King shall assign dower to the Widows of his tenants in chief, albeit the heir be at age (if the widows will) and such widows before assignment of their dower shall swear, that they will not marry themselves without the King's licence, whether the heirs be of full age or not.

VI. If they marry without licence, the King shall seize (by way of distresse) the land they held of him in dower until he be satisfied at his own will, so that they shall take nothing of the issues thereof; For by such distresses they and their husbands must fine at his will, which in the time of H. 3. was estimated one years value of her Dower.

VII. Women that hold any Inheritance of the King in chief (of what age soever they be) shall likewise swear not to marry without the Kings licence: And if they do, their lands shall be seized as aforesaid, until the King be satisfied at his will.

VIII. Stat. 31 H. 6. 9. Where any person or persons take

by force, or otherwise (by perswasion) get them into their possession, and when they so have them, will not suffer them to go at large, until they have bound themselves by obligations or Statute Marchant in great sums of money to them or others for their use, and many times compel them to be married against their likings, and levy such sums upon their Lands: In these cases, the obligor shall have a Writ out of the Chancery, containing the matter of such evil usage, directed to the Sheriff of the County, where such offence is committed, to make Proclamation in full County, and also in the next County-Court after the receit of the Writ, that the offendor shall appear at a certain day prefixed in the Writ before the Lord Chancellor, or otherwise before the Justices of Assize in the County where the offence is done, or else before some other person thereunto assigned by the Lord Chancellor: At which day, if the offendor appear, the said Chancellor, Justices, or other person shall duly examine the parties upon the premisses; And if it be found that the obligations were so made, they shall be void; but otherwise, they shall stand in force: Also if the offendor appear not, they shall likewise be void, as also all the proceedings thereupon.

IX. Here, if the Sheriff be remiss in the execution of such a writ, he shall forfeit 300 l. to be divided betwixt the King and the party that purchased the same Writ.

X. Stat. 4 & 5 P. M. 8. None shall take or convey, or cause to be taken or conveyed away any Maid, or Woman-child unmarried, being within the age of 16 years, out of the custody and against the will of the Father or Mother of such child, or of the person, to whom the Father of such child (by his last will, or other Act in his life-time) hath appointed Governance of such child (except such taking shall be by or for such person, (as without fraud) is master or mistress of such child, or her guardian (in Soccage, or Chivalry) in pain of two years imprisonment without bail, or else to pay such fine, as shall be assessed by the Queens Council in the Star-Chamber.

XI. None shall take away, and deflower any such child, or against the will of her Father, if he be living, or of her Mother (having the custody of her if the Father be dead) contract matrimony with any such child (except by the title of Wardship) in pain to suffer five years imprisonment, or else to pay such fine, as shall be assessed by the said Council in the Star-Chamber.

XII. The said fines shall be divided betwixt the King and Queens Majesties, and the party grieved.

XIII. The said Council in the Star-Chamber, and Justices of Assize have power to hear and determine these offences.

XVI. If any such child, above the age of 12 years, and under the

age of 16 years, do conſent to any ſuch contract of Matrimony, the next of the Kin, to whom her inheritance ſhould come, ſhall enjoy it during her life: But after her deceaſe it ſhall revert to the inheritor other then to him, that did ſo contract Matrimony.

XV. Provided, That this Act ſhall not be prejudicial to any cuſtome, or authority concerning Orphans in *London*, or any other City, Burrough or Town.

Worſteds.

I. Stat. 17 R. 2. 3. Merchants and Workers of Clothes, called ſingle Worſteds, may tranſport Bolts thereof, whither they pleaſe, (except to the Kings Enemies, paying the Cuſtoms and Subſidies due for the ſame, without paying the duties of *Calais*: So as under colour thereof they tranſport no double Worſteds, half double Worſteds, Worſteds ray, or Motley, in pain to forfeit the ſame.

* II. Stat. 7 E. 4. 1. The Worſted-weavers in *Norwich* ſhall yearly upon Monday after *Penteceſt* chooſe four of the ſame craft to be their Wardens for that City; and likewiſe thoſe of the County of *Norfolk* ſhall then alſo chooſe four of the ſame craft there to be their Wardens for the ſaid County; which Wardens ſhall take their oaths before the Mayor of *Norwich*, and the Steward of the Dutchy of *Lancaſter*, if the Steward be then reſident in the ſaid County, otherwiſe, before the Mayor alone.

III. The ſaid Wardens have power, for the year next enſuing, to ſurvey the Workmanſhip of the Artificers of that craft, whether or no they work well, and make their work of good ſtuff, and likewiſe to make Ordinances for the amendment of the ſaid Worſteds and craft: All which Ordinances ſhall be obeyed and kept by the ſaid Artificers, in pain to be puniſhed by four of the ſaid Wardens there in City or County reſpectively, (calling to them ſix other ſuch Artificers) at the diſcretion of the ſaid Mayor and Steward, or one of them.

IV. Alſo the lengths and bredths of Pieces of Worſted are herein ſet down: *For which ſee the Statute at large.*

V. No Lambs-wooll ſhall be put in Worſteds: And the ſaid Wardens have power to ſeize all ſuch clothes, and ſtuff, being defective.

VI. The Mayor and Stewards aforeſaid have power to hear and determine all offences committed againſt the ſaid Ordinances, and at convenient times to call together the ſaid 12 Artificers to be ſworn to make ſearch of the ſtuff and work wrought and made by the ſaid Wardens, and if they be found defective either in their Office or work, to puniſh them as other Artificers.

VII.

VII. The Wardens have alſo power to make ſuch ſearch in the Counties of *Suffolk* and *Cambridge*, as well as in *Norwich* and *Norfolk*.

VIII. Defective Worſteds ſhall be forfeit, *viz.* (in *Norwich*) the one half thereof to the Mayor there, or (in Corporations, or other places) to the chief Officers or Lord of the Mannor, and the other half to the ſaid Wardens: And Worſted-weavers ſhall ſet their proper marks woven upon their Stuffs, in pain to forfeit them to the King.

IX. The ſaid 8 Wardens ſhall yearly upon Monday next after *Natus Chriſti*, aſſign one, two, or more places in *Norwich*, and as many in *Norfolk*, and certain days by the week, to the end that the Worſteds to be put to ſale that year, may be brought before the ſaid Wardens to be ſearched, and if they find them well made, they ſhall ſet a mark thereupon without fee, that the buyer may know which are well ſearched, wrought, and made of good ſtuff: But if they ſhall find them defective, the ſaid Mayor and Steward, or one of them ſhall impoſe ſuch correction for ſuch default, as to them ſhall ſeem meet: And the price of every piece of Worſted ſold not marked, ſhall be forfeited by the firſt ſeller thereof.

X. All Mayors, Bailiffs, and other Officers ſhall be aiding and aſſiſtant to the ſaid Wardens in their ſearch, as often as they ſhall be required by the ſaid Wardens, or any of them ſo to do.

XI. **Stat.** 11 H. 7. 11. Citizens of *Norwich* may take to apprentice the ſon or daughter of any perſon.

XII. **Stat.** 5 H. 8. 4. None ſhall dry calender any Worſteds, in pain to forfeit for every piece 5 *l.* Neither ſhall any wet calender any Worſteds, unleſs he have ſerved 7 years as an apprentice in that Trade, and be approved by the Mayor of *Norwich*, and the two Maſters of that Craft in *Norwich* or *Norfolk*, upon the like pain of 5 *l.* for every piece calendred contrary to this Act. Which ſaid forfeitures ſhall be divided betwixt the King and the ſaid Maſters of the Craft of wet calendring.

XIII. **Stat.** 14, 15 H. 8. 3. A long Statute for Worſted-weavers in *Yarmouth* and *Linne*; The Election, Oath, and Authority of a Warden for *Yarmouth*: Every perſon ſhall make his Worſteds, Yarn, &c. with his ſeveral marks: The Election, Oath, and Authority of a Warden for *Linne*: Every Worſted-weaver in *Linne* ſhall be an Engliſh-man born, and ſhall have his proper mark: A Warden of *Norwich* or *Norfolk* ſhall come to *Lynn*, when there is no Warden there, and his allowance by the day of his charge in coming thither: What names, or additions the parties grieved ſhall uſe in

their actions, whereupon the particular bodies of the Wardens, or Inhabitants may be put in execution; Clothes marked by Wardens of *Linne*, or *Yarmouth*, may be lawfully put to ſale: What Apprentices Worſted-weavers in *Linne* and *Yarmouth* may take; This Statute ſhall not be prejudicial to the Mayor of *Norwich*, or the Wardens there: None ſhall ſheer, dye, or calander any Worſteds, Sayes, &c. ſave only in *Norwich*: Neither ſhall any ſuch Stuffs be tranſported before they be ſhorn, dyed, and calandred. *See the Statute at large.*

XIV. **Stat.** 25 H. 8. 5. The Statute of 5 H. 8. 4. is made perpetual, and none that dieth Worſteds, Stamins, or Says, ſhall uſe to calander them, in pain to forfeit for every piece 40 s. to be divided into three parts, whereof the King is to have one, the Mayor of *Norwich* another, and the Proſecutor the third.

Wreck.

I. **Weſt.** 1. 43 E. 1. Where a man, dog, or cat eſcape alive out of the Ship, neither the Ship or other Veſſel, nor any thing therein ſhall be adjudged wreck, but the goods ſhall be ſaved and kept by the Sheriff, Coroners, or the Kings Bailiffs, and delivered to the Inhabitants of the Town, where the goods are found; ſo that if any within a year and a day ſue for thoſe goods, and after prove that they were his at the time of the Shipwrack, they ſhall be reſtored to him without delay: But if not, they ſhall be ſeized by the ſaid Sheriff, Coroners, or Bayliffs for the Kings uſe, and ſhall be delivered to the Inhabitants of the Town, who ſhall anſwer before the Juſtices for the Wreck belonging to the King.

II. Alſo where the Wreck belongeth to another, he ſhall have it in like manner: and if any be attainted to have done otherwiſe, he ſhall ſuffer impriſonment, make fine to the King, and yield damages alſo.

III. If a Bayliff do it, and it be diſallowed by his Lord, the Bayliff ſhall anſwer for it, if he have whereof; but if not, the Lord ſhall deliver his Bayliffs body to the King.

IV. **Prerog. Reg.** 11. 17 E. 2. The King ſhall have wreck of the Sea, Whales, and great Sturgeons taken in the Sea, and elſewhere throughout the whole Realm, except in places privileged by the King.

Writs and abatements of Writs.

I. **Weſt.** 2. 24. 13 E. 1. *Pars inde.* Where in the Chancery in one caſe a Writ is found, and in another caſe falling under like law

and requiring like remedy, there is found none, the Clerks of the Chancery shall agree in making the Writ, or the Plaintiffs may adjourn it until the next Parliament, and then the cases being written, in which they cannot agree, let them refer themselves to the next Parliament, where (by the consent of men learned in the Law) a Writ shall be framed: lest the Kings Court should fail to administer Justice to complainants.

II. **West.2.49.** 13 E.1. *Pars inde.* Where the Law faileth, lest Suitors should depart from the Kings Court without remedy, Writs shall be provided in their cases.

III. **Stat.** 6 R.2. *Stat.* 1.2. If in writs of debt, accompt, and the like, it shall be declared, that the contract thereof was made in another County, then is contained in the original writ, such writ shall be abated.

Vid. Title *Arrests.* Numb. 4.

Yarn.

I. **Stat.** 1 H.6.23. NOne shall export any Thrums or woollen Yarn under colour of Thrums, in pain to forfeit the double value thereof.

York.

I. **Stat.** 29 H.6.3. All Letters Patents granted to Citizens of *York*, to be exempt of the offices of Mayoralty, Sheriffwick, Chamberlain, Collector of Dismes and Quinzims, and Citizen for the Parliament, shall be void: and the Citizen who purchaseth or taketh such exemption shall forfeit 40 *l.* to the King, and Mayor and Citizens of *York*.

II. **Stat.** 34, 35 H.8.10. An Act for making of Coverlets within *York*, and none shall be made to be put to sale in *Yorkshire*, but only in the Town of *York*, together with divers other good provisions touching that subject. *For which, see the Statute at large.*

The ACTS made in the 18, 19, 20, 21, and 22, Years of King *Charles* the Second, added by way of *APPENDIX*.

Buriall.

I. Stat. 18. *Car.* 2. *cap.* 4. ENacted, That after 25 day of *March*, 1667. no person or persons whatsoever shall be buryed in any Shirt Shift or Sheet made of, or mingled with flax, hemp, silk, hair, gold and silver, or other than what shall be made of wooll onely, nor any Coffin lined nor faced with any stuff so made or mingled, upon pain to forfeit five pounds to the use of the poor of the Parish where the Corps buryed, to be levyed by the Churchwarden by warrant of any Justice, Mayor, &c. by distress and sale of the offendors goods, rendring the overplus.

II. Provided, no Penalty shall be incurred for any person dying of the Plague though such person be burried in Linnen.

Cattel.

I. Stat. 18. *Car.* 2. *cap.* 2. Enacted, That if any Cattel, Sheep or Swines or any Pork, Beef or Bacon, (except for the necessary provision of the Ships or Vessels in which the same shall be brought, not exposing the same to sale) shall from and after the second day of *February*, 1666. be imported or brought from beyond Seas in *England*, *Wales* or Town of *Berwick* upon *Tweed* is declared a publick Nusance; and any Constable, Tythingman, Headborough, Churchwardens or overseers of the poor, may take and seize the same in their respective Liberties, Parishes and places, and if in 48 hours the

the Owners do make it appear by the Oath of two witneſſes that the ſame were not tranſported from *Ireland* or any other place beyond ſea, then the ſame to be delivered without delay, but in default of ſuch proof to be forfeited; one half to the poor of the Pariſh where the ſeizures made, the other half to his or their uſe that ſhall ſeize the ſame.

II. That if any Ling, Herring, Cod, or Pilchard freſh or ſalted, dryed or bloated, or any Salmons, Eeles or Congers, taken by any forreigners ſhall be imported, uttered or ſold in this Kingdom: any perſon may ſeize the ſame, the one half to the uſe of the Poor, *&c.* the other to his or their own uſe.

III. Provided, this Act ſhall not hinder importation of Cattel from the *Iſle of Man*, ſo as the number exceed not ſix hundred yearly nor be of other breed then of that *Iſland*.

IV. This Act to continue in force ſeven years, and thence to the end of the firſt Seſſion of the next Parliament.

V. *Stat. 20. Car. 2. cap. 7.* Enacted, That all and every Conſtable, Headborough, Tythingman, Churchwarden, and Overſeers of the poor, who have acted in or concerning the ſeizure or diſpoſing of any Cattel, Sheep, Swine, Beef, Pork or Bacon, contrary to the Act: 18. *Car. 2. cap. 2.* ſhall be and are hereby ſaved harmleſs againſt the Owners, and every perſon claiming by or under their Gift, *&c.*

VI. Not only the Conſtables and Officers above named but any other inhabitant where ſuch importation ſhall be made, may ſeize the Cattel and goods ſo imported and deliver them to the Conſtable *&c.* to be kept and diſpoſed as by the ſaid Act.

VII. And if no ſeizure be made by the Officers or Inhabitants where ſuch Goods and Cattel were imported, then ſuch Liberty, Pariſh and place ſhall forfeit 100 *l.* to the uſe of the Houſe of Correction within the County or Liberty where ſuch default of ſeizure ſhall be, and all moneys received by vertue of this or the forementioned Act, ſhall be accounted for to ſuch perſons as the Overſeers of the poor are appointed to account by 43 *Eliz. cap. 2.*

VIII. Every Ship or Veſſel with all her tackle and apparel in which any great Cattel, Swine, Sheep, Beef, Pork or Bacon, after the 24 of *March*, 1667. ſhall be imported from *Ireland* or any other parts beyond the Sea into *England*, *&c.* ſhall be forfeited. And that any perſon may ſeize the ſame within one year after ſuch importation, and make ſale thereof, the one half of the moneys raiſed thereby to the uſe of the Poor of the Pariſh where the ſeizure made, the other to his or their uſe that ſeize the ſame. And that any Ju-

ſtice

ſtice of Peace or chief officer, by warrant may cauſe to be apprehended the Maſters Mariners and Seamen belonging to ſuch ſhip or Veſſel, and commit them to the Common Goal of the County without bail or mainprize for three months.

IX. And if by any fraudulent agreement or connivance of any Conſtable, &c. any great Cattel, Swine, Sheep, Beef, Pork or Bacon after the firſt ſeiſure be found in any other pariſh or place, that the Conſtable &c. of ſuch other Pariſh or place may ſeize and diſpoſe the ſame: the one moiety thereof to the poor of ſuch other Pariſh or place; the other, of ſuch officer or officers who ſhall ſeiſe the ſame, any former ſeizure notwithſtanding.

X. In an Action proſecuted againſt any perſon for any ſeizure or other thing done by colour of this or the aforeſaid Act, if it be not found that the cauſe of action did ariſe within the County, where the action laid, the jury ſhall find the Defendant not guilty: or elſe the Defendant may plead the general Iſſue, and give this the aforeſaid Act in Evidence: and recover treble coſts if the Plaintiff be nonſuite or a Verdict paſſe againſt him.

XI. This Act ſhall not hinder importation of Cattel from the *Iſle of Man*, not exceeding 600 head yearly, of the breed of the Iſland and land at the Port of *Cheſter*, or ſome member thereof.

XII. Whoever ſhall confederate to avoid or evade this Act, upon conviction thereof within one year after the offence done, ſhall incur the dangers of the Statute of *Præmunire*, 16 *R.* 2.

XIII. *Stat.* 22. *Car.* 2. *cap.* 13. Enacted, that after the 24 day of *June*, 1670. and thence forward it ſhall be lawfull for all perſons Native or Forreign at any times to ſhip, load, carry and tranſport as merchandize all ſorts of Corn and Grain, although the prizes thereof ſhall exceed the rates ſet down in one Act made 15 *Car.* 2. *cap.* 7. (And when the prizes exceed not what in this Act mentioned, *See the Act.*)

XIV. That from and after the 24 day of *June*, 1670. and thence forward it ſhall be lawful for every perſon to ſhip, lade and tranſport by way of merchandize Beef, Pork, Bacon, Butter, Cheeſe and Candles, though the Prices exceed in price at the Ports from whence they are laden, and the prizes ſet down in two Acts made 12 *Car.* 2. *cap.* 4. 13. *Car.* 2. *cap.* 7. except that every barrel of Butter ſhall pay one ſhilling, and every hundred weight of Cheeſe four pence, and every Ox and Steer twelve pence, Cowes and Heyfers twelve pence, and for each Swine and Hog two pence, and every Horſe and Mare tranſported to any parts in amity with his Majeſty five ſhillings, and for every Gelding five ſhillings.

Clarendon.

Clarendon.

I. *Stat.* 19. *Car.* 2. *cap.* 10. An Act for baniſhing and diſenabling the Earl of *Clarendon*. See the Act at large.

Clergy.

I. *Stat.* 22. *Car.* 2. *cap.* 5. Enacted, That no perſons, who ſhall after the 25 day of *May*, 1670. be indicted for felonious cutting and taking, ſtealing and carrying away any cloth or other woollen Manufactures from the rack or Tenter in the night time or for any offence committed againſt the Act made 31 *El.* againſt ſtealing or imbezilling Ammunition or ſtores, or ſhall felonioufly ſteal or embeſill any of his Majeſties Sayles, Cordage or other his Naval ſtores to the value of twenty ſhillings and be found guilty by Verdict, or confeſs the ſame, or will not anſwer directly or ſtand obſtinately mute, or challenge peremptorily above twenty, or be outlawed on ſuch indictment, be admitted to have the benefit of his or their Clergy, but ſhall ſuffer death as if they were no Clerks.

II. Nevertheleſſe the Judges before whom ſuch offendor ſhall be arraigned and condemned, may grant and repreive and cauſe ſuch offendor to be tranſported to any his Majeſties Plantations beyond ſeas. And if the offender refuſe to be tranſported, or after tranſportation ſhall return into *England*, then the perſon ſo returning ſhall be put to execution upon the judgment ſo given.

Conventicles.

I. *Stat.* 22 *Car.* 2. *cap.* 1. Enacted, That if any perſon of the age of ſixteen years, or upwards, being a Subject of this Realm, after the 10th. day of *May*, 1670. ſhall be preſent at any Aſſembly, Conventicle or Meeting, under colour of Religion, in other manner then according to the Liturgy of the Church of *England* within *England*, *Wales*, or *Berwick* upon *Tweed*, at which Conventicle or Meeting, there ſhall be five perſons or more over and beſides thoſe of the ſame Houſhold, if in a houſe where a Family reſiding, or if in a houſe, field or place where no Family inhabits, then where five perſons or more are ſo aſſembled, one or more Juſtices of the Peace of the County, Limit, Diviſion, &c. or the chief Magiſtrate of the place where

where the offence committed are required, upon proof to him or them made by confeſſion of the party, or oath of two witneſſes, or by notorious evidence and circumſtance of the Fact to make a Record of every ſuch Offence, which record ſhall be taken to be a full and perfect conviction of every ſuch Offendor, and thereupon the ſaid Juſtice, &c. ſhall impoſe on every ſuch Offendor ſo convict, a fine of five ſhillings for ſuch offence, which record to be certified to the next quarter Seſſions of the Peace.

II. And if the ſaid ſo convicted ſhall again commit the like offence, he ſhall for every ſuch offence incur the penalty of ten ſhillings, the ſaid Fines to be levied by Diſtreſs and Sale of the Offendors Goods and Chattels; and in caſe of poverty on the Goods and Chattels of any perſons then convicted for the ſame offence at the ſame Conventicle, at the diſcretion of the Juſtices, &c. ſo as the ſum to be levyed upon one in caſe of poverty of others, exceed not ten pounds upon occaſion of one Meeting. And every Conſtable, Headborough, Tythingman, Churchwardens and Overſeers of the poor are required to buy the ſame accordingly, having firſt a warrant, and forthwith to deliver the ſaid moneys to the Juſtices, &c. of which one third to be to the King, another third to the poor of the pariſh where the offence was committed, and the other third to the Informers and ſuch perſons as ſhall be diligent in the diſcovery, diſperſing and puniſhing the ſaid Conventicles.

III. Every perſon that ſhall take upon him to preach or teach in any ſuch Meeting, &c. and ſhall be convicted as aforeſaid, ſhall forfeit for the firſt offence twenty pounds, to be levied as aforeſaid, and if he be a ſtranger, and his name and habitation not known, or is fled, and cannot be found, or in the judgment of the Juſtices, &c. ſhall be thought unable to pay the ſame, the ſaid Juſtice, &c. are required to levy the ſame by warrant upon the Goods and Chattels of any perſons preſent at the ſame Conventicle, the money ſo levyed to be diſpoſed as aforeſaid: And for the ſecond offence ſhall incur the penalty of forty pounds to be levyed and diſpoſed as aforeſaid.

IV. Every perſon that ſhall ſuffer any ſuch Conventicle or Meeting, &c. to be held in his or her houſe, out-houſe, barn, yard or backſide, and convicted thereof, ſhall forfeit twenty pounds, to be levyed as aforeſaid, and in caſe of his or her poverty upon the Goods of any convicted of being preſent at the ſame Conventicle.

V. Provided no perſon ſhall pay above ten pounds in any one meeting in regard of the poverty of any other.

VI. Any

VI. Any offendor aggrieved, may within one week after the penalty paid or levied, appeal in writing to the next Quarter Sessions, to whom the Justice, &c. that convicted the Offendor, are to return the money, and certifie the evidence upon which the conviction past, whereupon such Offendor may plead, and have his tryal by a Jury. And if such Appellant shall not be acquitted, he shall pay treble costs: And no Court but the Quarter-Sessions shall meddle with causes of appeal upon this Act.

VII. Upon the delivery of such appeal, the Appellant shall enter into a Recognizance to prosecute with effect, or else the appeal to be void.

VIII. The Justice, Justices of the Peace, &c. or the Constables, by warrant, may with what Ayd or Force they shall think fit, after refusal, break open and enter into any house or place, where such Conventicle shall be held, and take into Custody the persons there unlawfully assembled. And the Lieutenants, Deputy-Lieutenants, or any commissioned Officer of the *Militia*, or other his Majesties Forces, with Horse and Foot, and also the Sheriffs and other Magistrates and Ministers of Justice upon Certificate to them made of such unlawful meeting, are required to repair to the place where they are so held, and dissolve or prevent the same, and take into their custody such persons so assembled as they shall think meet.

IX. The dwelling-house of a Peer, where his Wife is resident, shall not be searched, but by immediate Warrant from the King, or in the presence of the Lieutenant, Deputy-Lieutenant, or two Justices, of which one of the *Quorum*.

X. If any Constable, Headborough, Tythingman, Churchwarden or Overseer of the poor, shall know, or be informed of any such Meetings or Conventicles, within his Precincts, Parish, &c. and shall not inform some Justice of Peace, or chief Magistrate, but omit the performance of his duty in the execution of this Act, and thereof convicted, shall forfeit five pounds: and every Justice of Peace, or chief Magistrate so offending, shall forfeit 100 *li.* the one moyety to the Informer.

XI. And if any person be sued for putting this Act in execution, otherwise then by appeal as aforesaid, he may plead the general Issue, and upon a Nonsuit or Verdict past for him, recover treble costs.

XII. This Act, and all Clauses therein, shall be construed most largely and beneficially for the suppressing of Conventicles, and justification of all persons imployed in the execution of this Act.

XIII.

XIII. Provided every offence against this Act must be prosecuted within three moneths, and no person punisht by this, shall be punisht by any other Law.

XIV. Aldermen of *London* have the same power as Justices, and liable to the same penalties for neglect of their duties.

XV. A *Feme Covert* offending and cohabiting with her Husband, the penalties of five and ten shillings shall be levyed upon the goods of the Husband.

XVI. No Peer shall be attached or imprisoned by vertue or force of this Act.

XVII. This Act shall not invalidate his Majesties Supremacy in Ecclesiastical Affairs.

Cornwall.

I. Stat. 22 *Car.* 2. *cap.* 7. An Act to enable his Majesty to make Leases, Grants and Copies of Offices, Lands, Tenements and Hereditaments, parcel of his Highnesse Dutchy of *Cornwall*, or annexed to the same. See the Statute at large.

Coynage.

I. Stat. 18 *Car.* 2. *cap.* 5. Enacted, That whatever person, Native or Foreigner, shall after the 20th. of *December*, 1666. bring any foreign Coyn, Plate or Bullion of Gold or Silver in Masse, molten or allayed, or any sort of manufacture of Gold and Silver into his Majesties Mints within the Kingdom of *England* to be there melted down and coyned, shall have the same assayed, melted down and coyned with all convenient speed without any delaleation or charge; so as for every pound *Troy* of Crown or Standard Gold delivered in, there shall be delivered out a pound *Troy* of currant Coyn, and for every pound *Troy* of Sterling or Standard Silver, a pound *Troy* of Current Coynes of this Kingdom, and so proportionably for a greater or lesser Weight; and if the Gold or Silver be finer or baser, so much more shall be delivered as the same in proportion amounts to more or lesse.

II. There shall be no preference in point of assaying or Coynage, but all Gold and Silver brought in shall be delivered out according to the order and times of bringing in; and if any undue preference be made either in the Entry of the receit, or delivery contrary to this Act; the party or parties offending shall be lyable by Action to

pay

pay the value of the Gold or Silver brought in, (and not entred or delivered) with Damages and Coſts, and be forejudged of his Office, and if ſuch preference be unduly made by any Depury or Clerk, without his Maſter privity, the ſaid Depury or Clerk ſhall be only lyable to ſuch Action, Damages and Coſts, and for ever uncapable of any place in the Mint in *England*.

III. It ſhall be no undue preference to incur any penalty, to deliver out any moneys coyned to any perſons that demand the ſame upon ſubſequent Entries, ſo as money be reſerved to pay others that did not demand.

IV. The Maſter-worker of the Mint ſhall at the time of the delivery of any Gold and Silver in the ſaid Mint, give unto the bringers in a Bill under his hand, denoting the weight, fineneſs, and value thereof.

V. No Confiſcation, Forfeiture, Seizure, Attachment, ſtop or reſtraint ſhall be made in the ſaid Mints of any Gold or Silver brought in to be coyned, by reaſon of any Imbargo, Breach of the Peace, Letters of Mart, or Repriſal, or War, or any other account or pretence whatſoever.

VI. In compenſation of the expence, waſt and charge in coyning, &c. that for every Tun of Wines, Vinegar, Cyder or Beer brought into the Port of *London*, or any other Port, Creek, or place in *England*, *Wales*, or *Berwick* upon *Tweed*, from any parts beyond the Seas, or *Scotland*, after the 20th. of *December*, 1666. there ſhall be levied and paid the ſum of ten ſhillings. And for every Tun of Brandy-wine or Strong-waters twenty ſhillings, and ſo proportionably for a greater or leſſer quantity over and above all other duties.

VII. That all Wines, Vinegar, Cyder, Beer, Brandy and Strong-waters, ſhall pay the duties aforeſaid, and for non-payment incur the forfeitures appointed by the late Acts for Tunnage and Poundage.

VIII. The duty paid by vertue of this Act ſhall be repaid, if the aforeſaid Commodity be tranſported beyond Sea within one year.

IX. No moneys leviable by this Act ſhall be converted to any other uſe then the defraying the charge of the Mints; Nor be iſſued out of the Exchequer, but by Warrant of the Lord Treaſurer, Under-Treaſurer, or Commiſſioners of the Treaſury, to the Maſter and Worker of the Mint, and to be iſſued out thence according to the courſe of the Mint.

There

X. There ſhall not be iſſued out of the Exchequer in any one year for Fees, Salaries, Repairs, Aſſaying and Coyning above 3000, the reſidue to be for the expence of Coymge.

XI. This Act to continue in force till the 20th. of *December*, 1671. and the end of the firſt Seſſion of *Parliament* then next following.

XII. Proviſo for Dame *Barbara Villiers* to have not above 600 *li.* a year for her intereſt of two pence by tale of every pound weight Troy coyned.

Deceaſes of Perſons beyond the Seas.

I. STat. 19 *Car.* 2. *cap.* 6. Enacted, That if any priſoner, perſon for whoſe life or lives any Eſtates have been or ſhall be granted, ſhall remain beyond Seas, or otherwiſe abſent themſelves in the Realm for ſeven years, and no ſufficient proof made of their lives ſhall be accounted naturally dead.

II. That in any action where the life or death of ſuch perſon ſhall come in queſtion between the Lord, or Reverſioner, or Tenant, the ſaid Leſſor or Reverſioner may take exception to any of the Jurors that his real Eſtate is held by Leaſe or Copy for lives, who upon proof ſhall be ſet aſide as in other Challenges.

III. That nothing in this Act ſhall extend to Lands held by the life or lives of any the perſons attainted of Treaſon, for the horrid Murder of his late Majeſty, who now conceal themſelves, which Lands were veſted in the King, and now granted to the Duke of *York*.

IV. If any perſons ſhall be evicted out of any Lands and Tenements by vertue of this Act, and afterwards the perſon upon whoſe life the Eſtate depends, ſhall return, or be proved living, or to have been living at the time of the Eviction, then the Tenant or Leſſee who was outed, or his Executors, &c. may re-enter, repoſſeſs and enjoy the ſaid Land in their former Eſtate, ſo long as the perſons upon whoſe lives the Eſtate depends ſhall live, and ſhall recover againſt the Leſſors, &c. or other perſons, upon action for damages the full profits, with lawful intereſt.

England

England and *Scotland* to have free Trade.

I. Stat. 19. *Car. 2. cap. 13.* ENacted that twelve persons to be nominated by his Majesty be Commissioners for this Kingdom, who or any five of them after the 10 of *January*, 1667. have full power before the 25 of *March*, 1660. to meet at any place in *England* by the King appointed to treat and consult and determin with selected Commissioners of *Scotland*, concerning freedom and liberty of trade between *England* and *Scotland*; by suspending all or any Impositions since the 25 of *March*, in the twelfth year of his Majesties reign, setled or laid upon any commodities of the Plantations belonging to *England*, or forreign commodities exported to *Scotland*. And by suspending forfeitures for non-payment of the said Impositions, and what shall be concluded to be reduced into writing under the Hands and Seals of the said Commissioners, and being confirmed by the King shall be of full force to the end of the next Session of Parliament after.

II. Stat. 22. *Car. 2. cap. 9.* That Persons to be nominated by his Majesty shall have power to consult with Commissioners of *Scotland*, concerning a Union between *England* and *Scotland*, and such other matters as the greatest part of the said Commissioners shall think necessary for his Majesties honor and the good of both Kingdomes during his Majesties life; and what the Commissioners do therein to be reduced into writings Tripartite, to be signed and sealed by them; that the King may have one part, the Parliament of *England* another, and the Parliament of *Scotland* a third.

III. That no matter or thing agreed by the said Commissioners shall have any force or be put in execution till confirmed by Act of the Parliament of *England*.

Error.

I. Stat. 20. *Car. 2. cap. 4.* Enacted, That Judgement shall or may be given in any suit or writ, or writs of Error now depending, or hereafter to be brought in the Exchequer in the presence of the Lord Keeper of the great Seal of *England*, notwithstanding the vacancy of a Lord Treasurer, in such manner hath been accustomed where there was present both the Lord Chancellor and Lord Treasurer: See, 31 *E. 3. cap. 12.* and 16 *Car. 2. cap. 2.*

Exchequer.

I. Stat. 19. *Car.* 2. *cap.* 12. Enacted that every person, Native or Forreigner, bodies Politik or Corporate, to whom any moneys shall be due in the Exchequer, and shall have any order Registred in the office of the Auditor of the Receit; may by endorsement of their order assign and transferre their right and title to any other, which being notifyed in the office aforesaid, and an entry thereof made shall intitle such assignee to the benefit thereof; and such assignee may likewise assign the same, and so *toties quoties*, and the assignor may not make void such assignments.

II. That if such assignment exceed not one hundred pounds, the Auditor for himself and Clerks shall take but six pence for entry thereof, but if exceeding one hundred pounds twelve pence and no more.

III. This Act to continue in force till the 10 of *September*, 1674. and to the end of the Session of Parliament next ensuing.

Fee-Farm Rents.

I. Stat. 22. *Car.* 2. *cap.* 6. AN Act for advancing the sale of Fee-Farm Rents. *See the Statute at large.*

Fens.

I. Stat. 20. *Car.* 2. *cap* 8. An Act for the taxing and assessing the Lands of the Adventurers within the great Level of the Fens, *See the Act at large.*

Leather.

I. Stat. 20. *Car.* 2. *cap.* 5. ENacted, That after the 25 day of *March*, 1668. any person Native or Forreigner may buy in open Fair or Market, and export and transport into *Scotland* or *Ireland*, or any foreign parts beyond the Seas all sorts of Leather, Sheepskins or Calveskins tanned, tawed or dressed, paying for each hundred weight containing one hundred and twelve pounds, and

and ſo proportionably for a greater or leſſer quantity the ſum of twelve pence and no more.

II. This Act to continue in force till the 25 of *March*, 1675. and to the end of the next Seſſion of Parliament then next enſuing.

London To be Re-built.

I. Stat. 19. *Car.* 2. *cap.* 2. Enacted, That the Juſtices of the Courts of Kings Bench, and Common Pleas, and Barons of the Exchequer for the time being, or any three or more of them ſitting at the ſame time and place, are authorized to hear and determin all differences between Landlords, Proprietors, Tenants, Leſſees, under-tenants or late occupiers of houſes, Courts, Yards and Whatfs lately burnt or pulled down by reaſon of the late great Fire, or for or concerning any rent other then Arreates of rent due before the firſt of *September*, 1666. or touching any Covenant &c. and that they or any three or more of them ſummarily and *ſine forma & figura judicij*, ſhall and may upon Verdict or Inquiſition, teſtimony of witneſſes upon Oath, examinations of parties intereſted or otherwiſe proceed to the determining of the differences concerning the premiſes; and that their definitive order ſhall be final between the parties &c. from which there ſhall be no appeal, then as hereafter mentioned, nor any writ of Error or *Certiorari* lie.

II. That the ſaid Juſtices or Barons, or three or more of them, are hereby impowred to order the ſurrendring, increaſing, abridging, ceaſing, or charging any eſtates in the premiſſes, or to order new or longer Leaſes not exceeding 40 years to be made of the premiſes by the Proprietors to any Tenants at ſuch rents and fines, or without rent or fine, unleſs in caſes where the Laws of this Realm forbid diminution of rent: All which orders ſhall be obeyed, and bind all perſons, notwithſtanding any diſability either in reſpect of Coverture, Infancy, Non-ſanity of memory, eſtate tail, in right of the Church or otherwiſe.

III. That the ſaid Juſtices and Barons or any three or more of them upon complaint of the perſons concerned ſhall iſſue out Warrants thereby warning the perſons, bodies Politike and Corporate therein named to appear before them at ſuch place as in the ſaid Warrant ſhall be ſpecified, and upon appearance or oath made of due ſervice, may proceed to make final and definitive orders as aforeſaid; and what is allowed good ſervice in caſes of a *Subpœna*, ſhall be adjudged good ſervice here.

IV. That the ſaid Juſtices or Barons, or any three or more of them for the matters herein before mentioned ſhall be a Court of Record, and the Judgments made therein recorded in a Book or Books of Parchment, being ſigned by three or more of the ſaid Juſtices or Barons, which ſaid Book or Books of Record ſhall be placed in the cuſtody of the Lord Mayor and Aldermen of *London* to be kept with the Records of the ſaid City, as a perpetual ſtanding record, to which any perſons concerned may repair and thereout take Copies: And the ſaid Juſtices and Barons are to take no Fee for what they do.

V. The ſaid Juſtices may direct a Table of reaſonable Fees, and this Act to continue in force till the laſt day of *December*, 1668.

VI. When any order or Decree ſhall be made by a leſſer number of Juſtices and Barons then ſeven, any perſon agrieved may preſent his exceptions in writing within ſeven daies after ſuch order or decree made, to the chief Juſtices and chief Baron, or any two of them who muſt communicate the ſame to the reſt who are required to hear the parties, and conſider the exceptions; and if ſeven of them ſubſcribe thereto that they find probable cauſe of complaint; any ſeven of the Juſtices &c. within 20 dayes may reveiw the ſaid Order and Decree, and thereupon to reverſe or confirm the ſame as they ſhall think fit.

VII. Stat. 19. *Car.* 2. *cap.* 3. Enacted, That no houſe for habitation be hereafter erected within the limits of the City of *London*, but ſuch as ſhall be purſuant to ſuch rules and orders of building, and with ſuch materials as are herein mentioned, and if any preſume to build contrary thereunto, the houſe ſo irregularly built ſhall be deemed as a Common Nuſance, and the builder to enter into a Recognizance to demoliſh the ſame in convenient time, or otherwiſe amend the ſame according to the ſaid rules, and for default of entring into ſuch Recognizance, ſhall be committed to the Goal without Bail or mainpriſe till he demoliſhed or amended the ſame, or elſe the Court of Aldermen may demoliſh the ſame.

VIII. That the Lord Mayor, Aldermen, and Common Council of the ſaid City, ſhall and may nominate and appoint one or more diſcreet perſons intelligent in the art of building to be ſurveyors to ſee the ſaid ſcantlings well obſerved and give them an Oath for the true execution of their office in that behalf.

IX. That there ſhall be only four ſorts of buildings and no more. The firſt and leaſt ſort fronting By-lanes: The ſecond, ſtreets and lanes of note: The third, High and Principal ſtreets; The fourth and

and largeſt, Manſion houſes for Citizens or perſons of quality.

X. That the Lord Mayor and Aldermen and Common Counſel, ſhall before the firſt of *April* next, which ſhall be accounted By-lanes, which Streets or Lanes of note, and which high and Principal Streets, and the ſame to be marked or ſtaked out, that the extent may be known: And if any perſon pluck up or remove the ſame, without lawful authority, and thereof convicted ſhall be ſent to the Common Goal for three months without Bail, unleſs he pay ten pounds: but if the offendor be unable to pay the ten pound, then the ſaid offendor ſhall be whipped near the place where the offence committed, and the Juſtices of Peace out of the pecuniary mulcts may reward the Informer.

XI. All outſides of buildings ſhall be made of brick or ſtone, or brick and ſtone together except for doot caſes and window frames, the breſt ſummers and other parts of the firſt ſtory to the front between the peers, which at the diſcretion of the builder may be built of Oak for conveniency of ſhops.

XII. That the Surveyors ſhall take care, party Walls and party Peers ſet out equally on each builders ground to be built up by the firſt beginning of the building and toothing left in the front Wall, and that no man be permitted to build on the ſaid party Wall, untill he hath reimburſed the firſt builder the full moiety of the charges of the ſaid party Wall and Peers, with intereſt at ſix *per cent.* for forbearance, And in caſe of difference the Alderman of the next Ward to mediate an agreement, and where he cannot do it to appeal to the Lord Mayor and Court of Aldermen to hear and determine the ſame.

XIII. Houſes in Byſtreets or Lanes ſhall be two ſtories high, beſides Cellars and Garrets, the Cellars to be ſix foot and a half if the ſprings of water hinder not; the firſt ſtory nine foot high from the floor to the cieling, and the ſecond the like: That all Walls in front and rear be two bricks in length thick, and thence upward one brick and a half: The thickneſs of Party Walls between houſes of of the firſt and leſſer buildings be one and a half as high as the Garrets, and in the Garrets one brick in length at leaſt. Timber and Stone to be as in the Table preſcribed.

XIV. The ſecond ſort of building fronting high ſtreets and Lanes of note, and the River of *Thames*, ſhall have three ſtories beſides Cellars, which are to be ſix foot and half high: The firſt ſtory ten foot from the floor to the ceiling, the ſecond the like, the third nine foot; the Walls in front and rear to the firſt ſtory to be

two bricks and a half, thence upwards one and a half. Party Walls two bricks lengths as high as the first ſtory, and then upwards one brick and an half; Timber and Stone as in the Table.

XV. Buildings Fronting high and Principal Streets ſhall conſiſt of four ſtories, beſides Cellars and Garrets as aforeſaid: The firſt ſtory from the floor to the cieling ten foot, the ſecond ten foot and a half, the third nine foot, the fourth eight and a half: The Front and Rear Walls to the firſt ſtory the thickneſs of two bricks in length; and thence upwards one brick and an half, the party Walls to the firſt ſtory two bricks in length, and thence upwards one brick and a half: Timber and Stone as in the Table.

XVI. Manſion houſes ſhall bear the ſame ſcantlings, as in the Table are ſet down for them.

XVII. The Fronts of houſes in high ſtreets ſhall be Belconies four foot broad with railes and bars of Iron to contein in length two parts of the front, and the remaining vacancy to be ſupplyed with a Penthouſe, to be covered with Lead, Tyle or Slate, and cieled underneath, and the water falling from the tops of the Houſes, Belconyes, and Penthouſes, be conveyed in Party-pipes to the Channel, and under the Belconies and Penthouſes, Pavements to be made of broad flat ſtone.

XVIII. No builder of Houſes fronting high ſtreets ſhall lay his firſt floor over the Cellar more then eighteen inches above the ſtreets, or leſs then ſix with a circular ſtep to lead thereto; and no trapdoors to be ſuffered nor any open grates or lights but uprights, and that no Bulks, Jettyes, windows, Poſts or Seats ſhall be made in any ſtreets onely in high ſtreets, ſtall boards may turn over eleven inches and no more, when ſhopwindows are open.

XIX. And if any perſons, Bodies Politike or Corporate, ſeized or poſſeſſed of any ground built upon, & the houſes now burnt in the late fire, ſhall not within three years next build up the ſame, that then the Mayor, Aldermen and Common Council of *London* may make publike Proclamation between twelve and two in the afternoon, as well upon the ground as the Exchange to give notice to all perſons to rebuild within nine months then next following; and in caſe of neglect or refuſal, the ſaid Mayor and Aldermen may cauſe a jury to be impanelled to inquire & aſſeſs the true value of ſuch void ground, and after ſuch inquiry and valuation to ſell the fee or inheritance thereof by Conveyance under their common ſeal, to any that will purchaſe the ſame at the price ſo valued, and the money thereupon

upon due to be paid to the Chamber of *London*, and thence to be paid by the Chamberlain to ſuch perſons who have any eſtate in the ſame, which ſale ſo made and inrolled according to the Cuſtom of the City, ſhall be finall to all others, and bar them, their heirs, &c.

XX. That in caſe of Combination, &c. exaction by Brickmakers, Tylemakers and Limeburners, the Juſtices of the Kings Bench, or any two of them upon complaint of the ſaid Mayor and Aldermen, may call before them ſuch number of Brickmakers, and Limeburners as burn or make Bricks, Tyles, or Lime within five miles of the *Thames*, and upon conference with them had, aſſeſs reaſonable Prizes of the ſeveral Kilnes, and alſo of all Carriages by Land or water, as may reſpect the honeſt profit of the ſaid Brickmakers, and the neceſſity of the Builder.

XXI. That the Juſtices of the Court of Kings Bench, or any two of them, upon the like complaint of the Lord Mayor and Aldermen, to limit, rate and appoint the wages of Brickmakers, Tylemakers, Limeburners, Carpenters, Bricklayers, Maſons, Plaiſterers, Plumbers, or other Artificers, Workmen, or Labourers by the day, week, or otherwiſe, and what wages they ſhall have by the great, by the foot, yard, rod or perch; which Rates ſet in a Table, and proclaimed, ſhall bind all perſons therein concerned. And if any refuſe to ſell and work for the wages ſo aſſeſſed, or depart from his work without licence of ſuch as imploy'd them, unleſs for non-payment, or if any underhand agree to give greater wages, the ſaid Offendors legally thereof convicted, ſhall by the Juſtice be committed to the Common Gaol for a month, unleſs he pay ſuch fine as the Juſtice ſhall impoſe, not exceeding ten pounds, out of which the injured party to be ſatisfied, and the reſt to be imployed towards the publick buildings of the City.

XXII. Carpenters, Bricklayers, Maſons, Plaiſterers, Joyners, and other Artificers, Workmen and Labourers to be imployed in the ſaid Buildings, who are not Freemen of the ſaid City, ſhall for ſeven years next enſuing, and till the ſaid Buildings ſhall be finiſhed, have the ſame liberty of working as the Freemen of the City of the ſame Trades: And after the ſaid ſeven years, ſhall have the ſame liberty to work as Freemen during their lives, paying and performing all Duties as Freemen are liable to.

XXIII. All differences about ſtopping of Lights, Windows or Watercourſes, may be determined by the Alderman of the Ward; and

if he cannot determine the ſame, then the Lord Mayor and Alder- to determine the ſame without appeal.

XXIV. The numbers and places for all common Sewers, Drayners and Vaults, and the manner of paving and pitching the ſtreets, ſhall be deſigned by ſuch perſons as the Lord Mayor, &c. ſhall appoint, who together with the Surveyors have power and authority to direct the making of any new Vaults, Sinks, or Common Sewers, and to impoſe any reaſonable Tax upon houſes, according to the benefit they ſhall receive towards the ſame. And in default of payment of the ſame charged, the ſaid perſon ſo authorized, or any ſeven of them, by warrant under their Hands and Seals, may levy the ſaid ſumme by diſtreſs, &c. And all other Commiſſioners are ſuſpended within the ſaid City and Liberties thereof for ſeven years, and till the Buildings are finiſhed.

XXV. The Lord Mayor, Aldermen, and Common Council may prohibit ſuch Trades in the high ſtreets as they judge noyſome or perillous in reſpect of Fire.

XXVI. The ſaid Lord Mayor, &c. may remove out of the high ſtreets all or any the Conduits now ſtanding, or hereafter to be ſet up; and to ſet up the ſame in other publick places within the City as they ſhall think fit, or to make the ſame leſs where they now ſtand, or hereafter ſhall be erected.

XXVII. The Mayor, Aldermen, and Commons of the City in Common-Council aſſembled, may, and hereby are required to enlarge the ſtreets and places hereafter mentioned in ſuch manner as there ſhall be cauſe, with his Majeſties approbation, that is to ſay, *Freet-ſtreet, &c. See the Act at large.*

XXVIII. And they may alſo enlarge and make wider any other narrow paſſages that are leſs then fourteen foot in breadth, ſo as notice be given to the Owners for ſuch enlarging before the firſt of *May* next, and alſo to make a new ſtreet from *Guild-hall* to *Cheap-ſide.*

XXIX. The Lord Mayor, Aldermen, and Common-Council may treat with Owners and others intereſted in ground, and if any wilfully refuſe to treat, or through diſability by nonage, Coverture, or ſpecial entail, or other impediment cannot; in ſuch caſes the ſaid Lord Mayor, &c. may cauſe a Jury to be impannelled, which are to inquire and aſſeſs ſuch Damage and Recompence as they ſhall think fit, and ſuch Verdict with the ſaid Lord Mayor, &c. and payment of the money ſo awarded or tender, and refuſal thereof, ſhall be binding to all intents againſt the ſaid Parties, &c. And what houſes

houſes are improved in their rents by ſuch enlargement, ſhall pay ſuch ſums of money as a Jury ſhall aſſeſs, to the Chamberlain of *London*, and the money ſo raiſed, ſhall be imployed towards ſatisfaction of ſuch houſes and ground as ſhall be converted into Streets and Markets, and ſuch ſatisfaction ſhall deveſt the propriety of the reſpective Owners, and the ſame is hereby actually ſetled in the Lord Mayor, Commonalty and Citizens of *London*, and their ſucceſſors.

XXX. And in caſe of difference of ſeveral Claymes in ſuch grounds ſo to be ſold, the Juſtices of the Kings Bench and Common Pleas, and Barons of the Coyfe of the Exchequer, or any three of them, may finally determine the ſame by way of ſummary proceeding; According to which Order the ſaid purchaſe-money ſhall be paid to the ſeveral perſons reſpectively.

XXXI. The ſecond day of *September*, (unleſs it be Sunday, and then the day following) ſhall be yearly for ever obſerved as a day of publick Faſting and Humiliation, to implore Gods Mercies, and to pray him to divert the like Calamity for time to come.

XXXII. That a Column or Pillar of Braſs or Stone be erected on or near the place, as conveniently may be, where the Fire began, in perpetual Remembrance, with an Inſcription thereon.

XXXIII. Tenders of money ſhall be made at the now Aſſurance-Office in *Greſham*-College.

XXXIV. Pariſh-Churches to be rebuilt, ſhall not exceed thirty nine, [*but this Clauſe is altered.*]

XXXV. That the ſcites and materials of Churches not to be built, ſhall be veſted in the Lord Mayor, &c. and be ſold with the conſent of the Archbiſhop of *Canterbury* and Biſhop of *London*, and the money to be diſpoſed to the rebuilding Pariſh-Churches to be new built.

XXXVI. St. *Pauls*, St. *Faiths*, and St. *Gregories* Churches excepted.

XXXVII. *Thames-ſtreet* to be raiſed three foot above the ſurface of the ground as now it lyeth.

XXXVIII. No houſe, out-houſe, or other building, ſhall be built within forty foot of any Wall, Key or Wharf bounding the *Thames* from *Tower*-Wharf to *London*-Bridge, and thence to the Temple-ſtairs. Nor within threeſcore and ten foot of the middle part of the Common Sewers, of *Bridewell-Dock*, *Fleet-ditch* and *Turnmill-brook*, from the *Thames* to *Clerkenwell* before the 24. of *March*, 1668.

XXXIX.

XXXIX. That for all ſorts of Coals imported into the Port of *London*, or the *Thames* within the liberty of *London*, after the 24th. of *June*, 1667. and before the 24th. of *June*, 1677. to be ſold by the Chaldron or Tun, ſhall be paid by way of Impoſition (beſides all other Impoſitions) for every Chaldron twelve pence, and for every Tun twelve pence, before they break bulk, or have a meter aſſigned, to be paid at ſuch place as the Mayor and Court of Aldermen ſhall appoint.

XL. That the Coal-meters for the City of *London*, and their Deputies, ſo ſoon as a Ship freighted with Coals ſhall be unladen, ſhall deliver a Certificate in writing unto the Deputies or Officers of the ſaid Mayor, &c. on pain of ſuſpenſion from his or their Office, for one whole year; and if thereby it appear there was a greater number of Chaldrons or Tuns of Coals then for which the ſaid Impoſition ſhall have been paid, the Owners ſhall forfeit for every Tun or Chaldron ſo concealed five ſhillings, beſides the Impoſition, for which the Ship with her tackle and furniture may be attached. But if within twenty four hours after ſuch Certificate, the Importer give in his Poſtentry, and pay the whole duty, then the ſaid penalty to be diſcharged.

XLI. The money raiſed upon this Impoſition, ſhall be imployed for the ſatisfaction of ſuch perſons whoſe grounds ſhall be taken for the enlarging of the ſtreets, the reſidue to ſuch whoſe grounds ſhall be taken for making Wharfs or Keys on the Northſide of the *Thames*, and upon each ſides of *Bridewell-Dock*, *Fleet-Ditch* and *Turnmill-Brook*, and building Priſons for Malefactors.

XLII. Books of Receits and Diſburſements of this Impoſition ſhall be kept in the Chamber of *London*, to which all perſons may have free acceſs when the Chamberlains Office is open, without Fee, Duplicates of which ſhall be tranſmitted into the Exchequer every year before the end of *Michaelmas* Term.

XLIII. Mr. *Thomas Morris* his Water-houſe formerly adjoyning to *London* Bridge may be rebuilt where it formerly ſtood with Timber, notwithſtanding this Act.

XLIV. The Lord Mayor, &c. may enlarge *Watter-Lane* from *Fleetſtreet* to *Whitefryer-Dock*, and alſo the ſtreet from *Cheapſide* through *Soper-Lane* to *Thames-ſtreet*, and from the *Three Cranes* to the *Thames*; and alſo another through *Mincing-Lane* by St. *Dunſtans* in the Eaſt to *Thames-ſtreet*, and to make them twenty four Foot in breadth, giving notice to perſons concerned before the laſt of *May*, 1667. and giving ſatisfaction, as aforeſaid.

XLV.

XLV. A Scheme of Proportions and Scantlings for Stories, Walls and Timber for the building of leſſer and larger houſes within the City of *London*, with general Rules concerning the ſame. *See the Act at large.*

XLVI. **Stat.** 22 *Car.* 2. *cap.* 11. Enacted, That *Patter-noſter Row, Warwick-Lane, Watling-ſtreet, Candlewick-ſtreet, Eaſtcheap, St. Swithins-Lane, Little Wood-ſtreet, Milk-ſtreet, Tower-ſtreet, Water-Lane* near the *Cuſtome-houſe, Rood-lane*, St. *Mary Hill, Thames-ſtreet, Pye-corner* and *Threed-Needle-ſtreet*, ſhall be inlarged in ſuch manner as the ſame are ſtaked out, and not otherwiſe.

XLVII. That the Mayor, Aldermen and Commons, &c. may imploy ſuch portions of ground as by his Majeſties Approbation, before the 10th. of *May*, 1669. ſhall be ſet out for publick Market-places, enlargement of the *Royal Exchange, Guild-Hall, Seſſions-Houſe* in the *Old-Bayly*, and the Gommon Gaols.

XLVIII. The ſaid Mayor, &c. may treat and agree with Owners having eſtate in the grounds taken away; and in caſe of refuſal, diſability or incapacity, may cauſe a Jury to be impannelled, whoſe Verdict and Judgment of the Mayor, &c. with payment of the money into the Chamberlaines Office, to be paid to the Owners upon demand, ſhall be binding and concluſive to ſuch Owners. And if any Controverſie ariſe about the ſame between ſeveral Parties, that the Juſtices of the Kings Bench, and Common Pleas, and the Barons of the Coyf of the Exchequer, or any three of them, may hear and determine within ſix moneths after the Verdict: According to which Order the ſaid moneys ſhall be paid.

XLIX. That Copartners, Joynt-tenants, Tenants in Common, or others, having ſeveral eſtates in one thing, if one would build, and the other refuſe or delay, one or more ſuch Copartners, &c. to rebuild the ſaid Houſe or Houſes as the ſame were before the Fire, and the ſame ſo rebuilt, to have and enjoy to their own proper uſe, until fully ſatisfied ſo much charge of building as in due proportion ought to have been allowed by ſuch Copartners, &c. together with Damages for the ſame at ſix *per Cent.* for forbearance for a year, to be accounted from the covering of the Houſe. And if ſuch Copartners, &c. refuſe or neglect to pay their proportion by two years from the covering of the Houſe, then the Rebuilders paying to ſuch Copartners, &c. ſo much as their eſtates ſhall be reaſonably worth; and upon tender and refuſal thereof, ſhall hold the ſaid Houſe or Houſes wholly and entirely againſt the ſaid refuſing Parties during their joynt Eſtate; and in caſe of difference about charge of building or value of the Eſtate, the ſame ſhall be referred to the Surveyors of

the

the City. And if they refuſe to ſubmit to their determination, the Mayor and Court of Aldermen may end the ſame without appeal.

L. Where any difference ariſes between ſeveral Owners concerning party-walls, the ſame ſhall be referred to the City Surveyors to decide the difference, if they can, who may order, exchange, or divide their ground, or award ſatisfaction in money; but if the parties refuſe to ſubmit to ſuch order, then the Mayor and Court of Aldermen to determine the ſame without appeal.

LI. The paſſage of *Holborn*-Bridge to be enlarged from a houſe called the *Cock* to the *Swan*-Inn.

LII. That all corner peeres of Stone or Brink to be erected, ſhall be of the dimenſions mentioned in the former Act. But Builders may uſe in ſtead of Brick or Stone, a ſubſtantial poſt of Oak Timber of ſuch dimenſions as the City Surveyors ſhall appoint.

LIII. The water ſhall be carryed from the tops of houſes in pipes, and party-pipes down by the ſides into the Channel.

LIV. That the Streets or Paſſages from *Cheapſide* through *Soper-lane* to *Thames-ſtreet*, and ſo to the *Thames*, and alſo from the *Three Cranes* to the ſame River ſhall remain in ſuch manner and form as now they are. And that the marks for raiſing or ſinking *Thames-ſtreet*, and the ground between the ſame and the River, and all other Streets, as the ſame are or ſhall be appointed before the 29th. of *September*, 1671. be henceforth obſerved.

LV. Where any houſes have been built, or were building before the 14th. of *May*, 1668. when the ſaid Rules and Levels were not publiſhed, that the Surveyors may alter the ſaid Levels or Marks, that the erected buildings may receive as little damages as may be; and if upon Requeſt, the Surveyors refuſe to do their duty, upon complaint by Petition to the Lord Mayor and Court of Aldermen, they, upon hearing both ſides, ſhall finally determine ſuch Controverſie.

LVI. No Builders ſhall be permitted to lay their Foundations, till the Surveyors have viewed the ſame, and ſeen the party-walls equally ſet out, and then the Builder ſhall repair to the Chamberlain of *London*, and there enter his Name, with the place where his building is to be, and pay down to the ſaid Chamberlain ſix ſhillings eight pence for every Foundation, after which, in three dayes the Surveyors ſhall ſet out the Foundations accordingly: And all Builders who have already laid any Foundations, ſhall pay to the Chamberlain aforeſaid, ſix ſhillings eight pence; and in default thereof, the Chamberlain may ſue for the ſame.

LVII.

LVII. All Parties concerned to give Obedience to the determination of the Alderman of the Ward, or the Lord Mayor and Court of Aldermen, ſhall obey and perform the ſame under the penalties that may be inflicted upon the Builder of any irregular built-houſe.

LVIII. All differences concerning miſplacing, ſtraitning or ſtopping up any common or private Entries, Alleys, Wayes, Stairs, Landing-places or Paſſages, Houſes of Office, Tunnels, Draughts, and other Eaſements, may be determined by the Alderman of the Ward and his Deputy; but if they cannot determine the ſame, then upon Complaint of the Parties, the Mayor and Court of Aldermen ſhall finally determine the ſame,

LIX. No rates ſhall be taken for Wharfage or Cranage, but what his Majeſty with the advice of his Privy Council ſhall allow, a Table of which ſhall be hanged up at every of the ſaid Wharfs reſpectively. And if any Wharfinger do otherwiſe, he ſhall forfeit for every ſuch offence ten pounds, to be recovered with full Coſts by Action of Debt, Bill, Plaint or Information, wherein no Eſſoine, Protection or Wager of Law ſhall be allowed.

LX. The Act for erecting a Judicature, revived with ſeveral additional powers, and to remain in force till the 29th. of *September*, 1671.

LXI. No term to be made by any future Decree of the ſaid Judges, ſhall exceed the number of ſixty years.

LXII. That the ſaid Judges and Barons ſhall not take Cognizance, or proceed to determine any differences which have ariſen, or may ariſe, unleſs the ſame be exhibited, or depending before the ſaid Judicature, before the 29th. of *September*, 1670. and where no Complaint ſhall be exhibited before that time, after that time, all Landlords may re-enter upon the Ground to be rebuilt and rebuild, to preſerve his Eſtate, from being ſold by the Mayor, Aldermen and Common Council.

LXIII. Where any Termor for years to come at the time of the Fire, hath omitted to rebuild, and the Landlord, or his Aſſignee, hath rebuilt, the Leaſes of ſuch Termors who have omitted to rebuild be henceforth utterly void; but the Judges may award ſome Recompence as they think fit.

LXIV. Where any Order hath been, or ſhall be made by three or more of the Judges, and any one or more of them dye before the Decree ſigned, the ſigning by the Survivors ſhall be good to all intents and purpoſes.

LXV.

LXV. Where any perſon concerned in any demoliſhed premiſſes is beyond Sea, or cannot be found, upon Oath in writing, of the endeavour to ſummon ſuch perſon, the Court after three moneths may proceed to determine the ſaid Cauſe; and ſuch Order ſhall be binding to ſuch abſent perſon.

LXVI. All perſon bound by any Order of the Judges, may execute Leaſes and Counterparts thereof, according to the tenor of the ſaid Orders, which Leaſes ſhall be binding, and good in Law; and where Leaſes in reverſion or additional termes ſhall be ordered, the parties concerned may unite and joyn together the preſent and additional terms in one Leaſe, which ſhall be good againſt the Leſſors, &c.

LXVII. The Juſtices and Barons may appoint a Seal to remain with the Regiſter, for the ſealing of all Warrants, and that all Warrants ſealed with the ſame Seal, and ſigned by the Regiſter, ſhall oblige them to appear.

LXVIII. Where the Inheritance, or other eſtate of Houſes ſhall be in any Infant, the ſaid Juſtices and Barons, or three or more of them, upon Petition of the Father, or other Friend, may decree a Leaſe againſt ſuch Infant for any term not exceeding one and fifty years to ſuch Father, or other perſon, as will undertake to rebuild under ſuch Rents and Covenants as the ſaid Juſtices and Barons ſhall think fit.

LXIX. Every Decree that hath been, or ſhall be made by the ſaid Juſtices and Barons, ſhall bind as well Tenants in tail, and their Iſſues, as Eſtates in Remainder: For the further power of the Judges, *See the Statute at large.*

LXX. A further Impoſition upon Sea-coals and other Coals of two ſhillings a Chaldron or Tun from the firſt of *May*, 1670. to the 24th. of *June*, 1677. And for all Coals brought in from the 24th. of *June*, 1677. and before the 29th. of *September*, 1687. there ſhall be paid for every Chaldron and Tun three ſhillings, which money ſo raiſed by the ſaid ſeveral Impoſitions, ſhall be imployed three fourth parts of the money collected, between the firſt of *May*, 1670. and the 24th of *June*, 1677. upon the Impoſition of two ſhillings for the repair of Pariſh-Churches, and the other fourth part to ſatisfie for grounds taken up for enlarging the ſtreets, &c. And the money collected upon the Impoſition of three ſhillings a Chaldron or Tun from the 24th of *June*, 1677. The one moyety to go for the rebuilding Pariſh-Churches, and the other for ſatisfaction of ground as aforeſaid. And the Chamberlain may defaulk out of all moneys paid upon this Act ten ſhillings for every hundred

hundred pound, for the use of the Mayor, &c. in lieu of incident Charges.

LXXI. One fourth of the money raised by this Act to be disposed and appointed for repair of Churches, shall be imployed toward the repair of St. *Pauls* Cathedral. And for the raising a present stock of money, the Profits arising from the said Impositon may be engaged as a Security.

LXXII. That there shall be left a Key or open Wharf from *London* Bridge to the Temple forty foot broad, and that in order thereto, all Buildings, Sheds, &c. being within forty foot Northward of the *Thames*, shall within eight moneths ensuing be taken down and removed, and the buildings to front the said Key shall be of the second or third rate of Buildings, observing Uniformity as in other streets. See *more the Act at large.*

LXXIII. *Bridewell-Dock* shall be made Navigable from the *Thames* to *Holborn* Bridge, the Channel to be no less then 100 foot broad, and not exceed 124 foot, and that the line of the said Channel with Cranes and Stairs to be placed thereon shall be ascertained by the Lord Mayor, &c. with the Kings Approbation before the first of *May* next, and the charge of sinking the said Channel with Sasses and Sluces, Wharfs and Keys shall be born and defrayed by the Mayor, Commonalty and Citizens of *London*, out of the fourth part of the money raised upon the Imposition on Coals.

LXXIV. No Houses built upon the scite of the Houses burnt by the Fire, shall after the rebuilding be lyable to any Incumbrances whereto the same may be lyable by any matter or thing before the said late Fire.

LXXV. If any persons who have been lawful Possessors of any ground within the City for the space of one and twenty years, shall grant a Lease to any persons upon a valuable Ground-Rent, the said Lease shall be good and valid, the Builders only paying the aforesaid Ground-Rent.

LXXVI. Proviso for the Water-house at *London* Bridge, and a Clause to save harmless for building with Timber there: Proviso also to enlarge *Threenecdle-street*, and to new build part of *Bury-street* in *Beavis Markes*, and to save harmless Builders upon encroaching.

LXVII. Whereas the Mercers of *London* are building a new School-House, with houses adjoyning party upon the scites of Saint *Pauls* Church-yard, and partly upon Grounds next adjoyning, and other part of the scite of the said School laid into Saint *Pauls* Church-yard for enlargement of the passage at the East end of the

said

ſaid Cathedral, the ſaid Ground built on by the Mercers confirmed to that Company for ever; and the Ground laid unto the Church-yard ſetled on the Dean and Chapter of St. *Pauls*, and their Succeſſors for ever. Proviſo, that St. *Pauls*, St. *Faiths*, and St. *Gregories* ſhall not be ſetled in the Mayor, &c.

LXXVIII. A Market ſhall be kept three or four dayes in every week upon the Ground ſet out by the aſſent of the Dean and Chapter of St. *Pauls*, for a Market-place within *Newgate*, and that the ſaid Dean and Chapter ſhall make one or more Leaſes to the ſaid Mayor, &c. for forty years, reſerving four pounds for the Ground of the ſaid Market-place, and two pence for every ſuperficial foot of the ground of the Wall of the ſaid Church-yard: And ſo from forty years to forty years for ever at the like yearly Rent, and one years Rent for a Fine of each upon every renewing.

LXXIX. That the number of Pariſhes to be ſetled, and Pariſh Churches to be rebuilt within the City of *London* ſhall be fifty one, notwithſtanding the foreſaid Act for rebuilding the ſaid City appoints but thirty nine: For their Names and Qualities, ſee the Act at large; as alſo for their Dimenſions and method of building, their union Rates and Charges.

LXXX. This Act ſhall not deprive the preſent Incumbents, which at the time of the late Fire were, or now are, in poſſeſſion of any the Pariſh Churches not to be rebuilded, of the Tythes or other Profits heretofore belonging to their reſpective Churches, ſo long as they ſhall aſſiſt the ſerving the Cure, and other Offices belonging to their Duty in their Pariſh Church whereto their Pariſhes ſhall be united: Saving to the King the Tenths and Firſt-fruits, as they ſtand rated in his Majeſties Court of Firſt-Fruits and Tenths.

LXXXI. The Warden and Minor Canons of St. *Pauls*, Parſon and Proprietors of St. *Gregories* may receive all Tythes and Duties as formerly they might have done.

LXXXII. The ſcite of St. *Mary Colechurch* and the materials remaining upon the ſame, ſetled upon the Wardens and Commonalty of the Mercers *London*, to build a Free School upon, they paying to the Lord Mayor and Aldermen ſuch money towards rebuilding the Church whereto the ſame by this Act is United, as ſhall be agreed upon between the ſaid Mayor and Aldermen and the Wardens and Commonalty aforeſaid.

LXXXIII. Parſons and Vicars ſhall not be liable to Suits as to rebuilding their reſpective Chancels, Houſes, or for Dilapidations, and ſhall be indemnified from the payment of all Firſt-Fruits, Tenths

Tenths and Penſions due to his Majeſty, the Arch-deacon and Ordinary, and from all penalties for not reading the 39 Articles, or not doing other things enjoyned by Law, till the Churches be redified, and alſo may let Leaſes of their Glebe-lands with the conſent of their Patrons and Ordinary, for any term not exceeding 40 years, at what Rents they can get without Fine.

LXXXIV. There ſhall be one Poſtern on either ſide of *Ludgate* for the Paſſengers, to which purpoſe the gate may be enlarged.

LXXXV. The Mayor, Aldermen and Common Council ſhall not proceed to ſell any ground, for not rebuilding thereupon before the 24th. day of *March*, 1671. And any perſon may leave ſome part of the ancient Foundation unbuilt to make a Court, Yard or Garden.

LXXXVI. Tenant in tail, &c. by Indenture, may demiſe ground of burned houſes without Fines, at the moſt improved annual Rent, to any perſon that will rebuild thereupon, not exceeding fifty years, which Leaſes ſo made, ſhall bind the iſſue of ſuch Tenant in tail, &c. and the houſes be held by the Leſſees.

LXXXVII. The King, his Heirs and Succeſſors, and his and their Privy-Council, ſhall determine all Differences whatſoever touching the houſe called *Sergeants-Inn* in *Fleet-ſtreet*, and may decree ſuch ſatisfaction to *Robert Meſſiſt* as to them ſhall ſeem meet; and to decree the Dean and Chapter of *York* to make a Leaſe thereof to the ſaid Society, not exceeding ſixty years: And what the King, &c. ſhall do therein, is declared good in Law, and the Judges and Barons excluded from medling therewith.

LXXXVIII. The ſaid Juſtices and Barons have full power to determine all Differences concerning the houſes pulled or blown down for ſafeguard of the Tower, as if the ſaid houſes had periſhed by the late dreadful Fire.

LXXXIX. The Sheds, Shops, and other Building erected ſince the late Fire in *Smithfield*, *Moorfields*, and other places, by licence of the Lord Mayor, &c. for the accommodation of ſuch whoſe houſes were burnt, ſhall be taken down and removed at or before the 29th. of *September*, 1674.

XC. All perſons putting in execution this Act ſaved harmleſs.

XCI. This Act ſhall not make void any thing done by vertue of any Commiſſion granted or to be granted by his Majeſty in purſuance of two Acts, one made in the firſt year of Queen *Elizabeth*, another the 14th. year of his now Majeſties Reign, Chapter the Second.

Money.

I. Stat. 18 *Car.* 2. *cap.* 1. MOneys raiſed by a Poll, and otherwiſe, towards the Maintenance of the preſent War. EXP.

II. Stat. 19 *Car.* 2. *cap.* 1. An explanatory Act for raiſing moneys by a Poll, and otherwiſe, towards the maintenance of this preſent War, charging all perſons of what Degree, Condition, Age, or Sex ſoever, except ſuch as receive Alms from the Pariſh, and pay nothing to the Church or Poor, by reaſon of their poverty, to pay twelve pence, &c. EXP.

III. Stat. 19 *Car.* 2. *cap.* 8. Twelve hundred fifty ſix thouſand three hundred forty ſeven pounds thirteen ſhillings, granted to the King, towards the maintenance of the preſent War, to Commence *January* 26. 1667. and to be paid in eleven months by 114213 *li.* 8 *s.* 5 *d.* the moneth. EXP.

IV. Stat. 19 *Car.* 2. *cap.* 9. Accompts of ſeveral ſums of money, how to be taken. *See the Act.*

V. Stat. 20 *Car.* 2. *cap.* 1. An Act for raiſing three hundred and ten thouſand pounds, by an Impoſition on Wines and other Liquors. *See the Act at large.*

VI. Stat. 20 *Car.* 2. *cap.* 2. Payment of moneys received for the uſe of the Crown rectified. *See the Act at large.*

VII. Stat. 22 *Car.* 2. *cap.* 3. An Impoſition upon all Wines and Vinegar imported between the 24th. of *June*, 1670. and the 24 th. of *June*, 1678. granted to his Majeſty. *See the Act at large.*

VIII. Stat. 22 *Car.* 2. *cap.* 4 An Act for ſetling the Impoſition Brandy. *See the Act at large.*

Prettyman.

I. Stat. 22 *Car.* 2. *cap.* 10. PArt of the Eſtate of Sir *John Prettyman* to be ſold, for ſatisfaction of a Debt by him due to the Kings Majeſty. *See the Act at large.*

II. Stat.

Priſoners and Poor.

1. Stat. 19 *Car.* 2. *cap.* 4. ENacted, That the Juſtices of Peace of the reſpective Counties at their General Seſſions, may provide a ſtock of ſuch materials as they think meet, for the ſetting poor Priſoners on work: as other County-Charges may be levyed by the Law of the Land, and to provide fit perſons to over-ſee the Work. Provided no Pariſh be charged above ſix pence a week.

II. The Sheriffs of the reſpective Counties having the Cuſtody of the Gaol with the advice of three Juſtices of the Peace (one *Quorum*) may provide other ſafe places to remove ſick perſons out of the ordinary Gaols, the ſame places to be employed for the cuſtody of Priſoners there to be kept.

III. The Mayor, Bayliff, and other Head-Officer, having cuſtody of the Common Gaol within any Corporation in this Kingdom, or *Wales*, by advice of three or more Juſtices of Peace of the Corporation in time of Infection, have the like power to remove their Priſoners, and alſo to raiſe a Stock.

IV. A new Gaol erected in the City of *Exeter*, with divers Orders and Rules concerning the ſame. See the Clauſe in the Act about it. *Salvo* to the King, &c.

Prize-Ships.

1. Stat. 19 *Car.* 2. *cap.* 11. PRize-Ships made free for Trade. *See the Act at large.*

Replevins and Avowries.

1. Stat. 19 *Car.* 2. *cap.* 5. ENacted, That the Act for the more ſpeedy and effectual proceeding upon Diſtreſſes and Avowries for Rents, and for Cauſes of Replevins depending at Weſtminſter, ſhall be of the ſame force and efficacy in all Cauſes of Replevin in his Majeſties Court of Common Pleas at *Lancaſter*, the Court of the great Seſſions of the Principality

of *Wales*, and the Court for the great Seſſions or Aſſizes for the County Palatine of *Cheſter*, and the Court of Common Pleas for the County Palatine of *Durham*, as fully during the continuance of the ſaid Act, as if the ſaid Courts had been mentioned therein.

Salt.

I. Stat. 22. *Car.* 2. *cap.* 8. A Clauſe in an Act made, 17 *Car.* 1. *c.* 19. [That ſuch meaſure as is called commonly Water-meaſure in any Ports, maritime Towns, or other places, ſhall be ſtill uſed and continued as formerly the ſame hath been] ſhall after the 29th. of *September*, 1670. be utterly repealed and void. And if any ſell any Corn or Grain, ground or unground, or any kind of Salt uſually ſold by the Buſhel in any place, by any other Buſhel or Meaſure then agreeable to the ſtandard, marked in his Majeſties Exchequer, commonly called *Wincheſter*-Meaſure, containing eight Buſhels, and no more or leſs, and the ſame ſtricken even by the brim, ſhall forfeit for every ſuch offence forty ſhillings.

II. If any Mayor, or other Head-Officer of any City, Burrough, Corporation or Liberty, ſhall knowingly ſuffer any perſons to ſell or buy any Corn, Grain or Salt by any other Buſhel or Meaſure then is hereby preſcribed, or ſuffer other meaſure to be uſed within their Juriſdictions; or upon complaint, do not duly puniſh and reform the ſame: being convict at the General Seſſions of the Peace of the County, ſhall forfeit five pounds for every offence: the one moyety to the Informer, the other to the poor of the Pariſh where, &c.

III. And if the Clerk of the Market of the Verge, Mayor or Head-Officer, Lord of the Liberty, or other perſon refuſe to ſeal or make any Buſhel, half-Buſhel or Peck, duly gauged as before directed, ſhall forfeit for the firſt offence, five pounds, and for every other ten pounds, to be levyed aforeſaid; and if the Clerk of the Market of his Majeſties houſe ſhall take more then the lawful Fees, or if any other perſon take more then a peny for marking a Buſhel, a half-peny for a half-Buſhel or Peck, and a farthing for any meaſure containing a Gallon, Pottle, Quart, Pint or half-pint, for every offence, being convicted, ſhall incur the penalties mentioned in the ſaid Statute, 17 *Car.* 1. *cap.* 19.

IV. Ther

IV. There ſhall be before the 29th. of *September* one meaſure of Braſs provided at the Charge of ſuch perſons who have the Toll or Profit of the Market in any City, Corporation, or Market-Town, and chained in the publick Market-place, on pain to forfeit five pounds; one moyety to the poor of the Pariſh, the other to him that will ſue for the ſame.

V. All Conſtables required to ſearch, if any perſon uſe any other meaſure, or that is not ſealed, and if they find any ſuch to break the ſame, and for every offence ſhall preſent the Offendor at the next private or quarterly Seſſions. But no perſons puniſht by this Act, ſhall be again puniſht by vertue of any other Act, and Toll ſhall be proportioned as the Meaſures in this Act bear unto the Meaſures heretofore uſually taken.

Seamen.

I. Stat. 19 *Car.* 2. *cap.* 7. Diſturbances of Seamen and others prevented, and to preſerve the Stores belonging to his Majeſties Navy-Royal. *See the Statute at large.*

Silk-throwing.

I. Stat. 20. *Car.* 2. *cap.* 6. Enacted the By-Law reſtraining freemen of the Trade of Silk-throwing be void, and for the future the Company may not make any By-Law limiting the number of Mills or Spindles.

II. If any Silk-winder or doubler, unjuſtly or falſely purloyn or embeſil any ſilk committed to his truſt, any Juſtice of Peace, Mayor, Bayliff, &c. upon conviction by confeſſion or otherwiſe commit the offendor to priſon, or the houſe of Correction, till ſatisfaction be given to the party wronged, or puniſhment inflicted according to 14. *car.* 2. *cap.* 13.

III. No By-law made, or to be made, ſhall confine any Freeman to take a leſſer number then three Apprentices.

Theft.

I. Stat. 18. *Car.* 2. *cap.* 3. Enacted, That an Act for preventing of Theft and Rapine upon the borders of *England*, and every clauſe therein contained made 14. *Car.* 2.

cap. 22. shall remain in force to the end of seven years from the expiration of the said Act.

II. And further, That the benefit of Clergy shall be taken away from great Thieves in *Northumberland* and *Cumberland*, and duly convicted there; Or, else the Justices of Assize, *Oyer* and *Terminer*, or Goal-delivery may transport such convict, unto any his Majesties Dominions in *America*, there to remain and not to return.

Timber.

I. Stat. 20. *Car.* 2. *cap.* 3. An Act for the increase and preservation of Timber within the Forrest of Dean, *See the Act at large.*

Wayes, High-wayes and Bridges.

I. Stat. 22. *Car.* 2. *cap.* 12. ENacted that all Constables and Surveyors of the High-wayes shall cause the several Acts heretofore made and yet in force, and not hereby altered or repealed touching amending or enlarging Highwayes to be put in Execution, and for refusing or neglecting to do the same, upon complaint made to a Justice of Peace shall incur such fine as the same Justice shall think fit not exceeding 40 shillings, to be levyed by the High Constable and imployed in mending the Highwayes.

II. That Lands that have been or shall be given for maintenance of Causeys, Pavements, Highways and Bridges, shall be let to farm at the most improved yearly value without fine, and the Justices in Sessions may inquire into the value of lands, and order the improvements of their rents according to the will of the Donor.

III. One Clause made in an Act concerning the breadth of the Tyre of all Waggon and Cartwheels repealed: And further enacted that if any person shall resist any imployed in the due Execution of this Act or any other Acts, such person being convicted shall forfeit forty shillings, which if he pay not within seven dayes, any Justice living near may commit the offendor to Goal till payment; and in any action brought for any matter done by vertue of this Act, the the Defendant upon Verd & for him shall shall recover treble costs. Provided where the highwayes cannot be repaired before the feast of

Saint

Saint *John Baptiſt* yearly, they ſhall be repaired before the Feaſt of Saint *Luke*, without incurring any penalty.

IV. All defects of repair of Cauſeys, Pavements, Bridges, ſhall be preſented onely in the County, where they lie; and ſuch indictment ſhall not be removed by *Certiorari*, untill it be traverſed.

V. That the inhabitants, and where no inhabitants the Owners of Lands, Houſes, Outhouſes, walls and buildings fronting the Highwayes, Streets or Lanes in the Suburbs of *London*, *Southwark*, and *weſtminſter*, ſhall be lyable to all rates and aſſeſſments towards the Scavenger as by Act made: 14 *Car.* 2. *cap.* 2. is directed; and where any diſpute ariſes who ought to pave, the Juſtices in their quarter Seſſions ſhall determine the ſame.

VI. That after the 24 day of *June* next, no travelling Waggon, Wayn, Cart or Carriage, wherein burthens, wares or goods are carryed, ſhall at any one time be drawn in any road or highway with above five horſe-beaſts at length, and if with a greater number then they ſhall draw in pairs.

VII. Every owner of any Waggon, Cart, Carriage, Horſe, Beaſts or Oxen, ſhall forfeit for every offence forty ſhillings, one third part towards repair of the highwaies, one other third to the Overſeers of the poor, and the other third to the diſcoverer to be levyed as other penalties in this Act impoſed.

VIII. Where there is no uſe of Carts and Teems for amendment of the High-wayes, that the inhabitants ſhall ſend in horſes as are cuſtomed to carry ſtones, gravel, earth, &c. and ſuch other carriages with able perſons to work with the ſame under the forfeitures by any former Statute for the Highwayes appointed.

IX. Every day-labourer, that ſhall make default of their reſpective dayes labour in every year towards repairing the Highwayes, ſhall forfeit one ſhilling ſixpence: for every man and horſe defaulting, three ſhillings: for every Cart with two men, ten ſhillings for every reſpective day, to be levied by diſtreſs and ſale of Goods of the offenders, and imployed upon the Highwayes.

X. Where the common Highways, Cauſeys or Bridges will not be ſufficiently amended by means of the Laws now in force, the Juſtices of their general quarter Seſſions may appoint an aſſeſſment to be made upon all inhabitants, owners and occupiers of Lands, Houſes, Tenements, and Hereditaments or any perſonal eſtate uſually rateable to the poor: And the money thereby raiſed, ſhall be imployed towards the amending the Highways, Cauſeys, and Bridges as need ſhall require, the ſaid aſſeſſement to be levyed by diſtreſs upon perſons not paying within ten dayes after demand.

Provided no such Assessment exceed six pence in the pound of the yearly value of Lands, &c. nor the rate of sixpence for twenty pounds in personal estate.

XI. After the 29 of *September* next, Surveyors of the Highways shall be chosen in every Parish in *England*, *Wales* and *Berwick*, yearly within the same week as *Christmas-day* falls as is appointed by an Act made 2 and 3 of *Philip* and *Mary*, which persons so chosen shall appoint six days for providing stones, gravel, &c. at which days all persons lyable to the said work shall attend, and the surveyors shall return defaulters within a month to some neighbouring Justice who shall present it at the next quarter Sessions:

XII. That for ten years next following the respective Justices of Peace within *Cheshire* and *Lancashire*, at their general Quarter-Sessions have power by warrant under the hands and Seals of the Major part of the said Justices being six at least, to cause to be builded any new Bridge, where they shall judge fit; and likewise rebuild such Bridges as were demolished in the late War; and either to charge the whole Counties or any Hundreds with the building and repairing any such Bridges, which shall be assessed and levyed as Moneys for repairing of Bridges now in being is levyed by vertue of the *Stat.* 22. *H.* 8.

XIII. Six or more Justices of the County of *Monmouth*, whereof two of the *Quorum*, at the general Quarter-Sessions, during ten years, may impose any sums for repairing the *Uske* and *Basultge* Bridges, so as the sum imposed exceed not in one year forty pounds; to be levyed as other rates for Bridges in that County.

Yarmouth.

I. Stat. 20. *Car.* 2. *cap.* 2. ENacted, That for ten years, from the four and twentieth of *June* next, there shall be paid by the Master of any ship or vessel unlading at the Haven of great *Yarmouth* at the time of the unlading, for every Chalder of Coals (*winchester* measure) Last of Wheat, Rye, Barley, Mault or other Grain, and for every weigh of Salt, and every Tun of other goods and merchandises (Codfish, Ling, Herrings and other fish only excepted) such summe not exceeding twelve pence, as the Bayliffs, Aldermen, Burgesses and commonalty of the said Borroughof great *Yarmouth* shall appoint.

II. That

II. That the ſaid Bayliffs, &c. may for the ſaid term of ten years nominate collectors and receivers of ſuch money, who ſhall pay what they receive to the Chamberlaines of the ſaid Burrough, to the intent and purpoſe aforeſaid.

III. There ſhall be eight Commiſſioners appointed to inſpect the receits and diſburſements, two of which to be appointed yearly by the ſaid Bayliffs, &c. other two by the Mayor, Aldermen and Commons of *Norwich*, other two by the Juſtices of *Norfolk*, and other two by the Juſtices of *Suffolk* at the reſpective Seſſions in *Norfolk* and *Suffolk*; who ſhall take account of all Collectors receivers, &c. The ſaid Collectors and receivers to be allowed for their pains in receiving the ſaid moneys, what the ſaid Bayliffs, &c. ſhall think fit not exceeding two pence in the pound, and the ſaid Collectors may at all ſeaſonable times enter into any Ship or Veſſel within the ſaid Haven, to inform themſelves what Goods ſhall be in the ſame unladen out thereof.

IV. The Maſter of any Ship or Veſſel ſhall not pay according to the intent of this Act; the ſaid Collectors and Receivers, by warrant from the Bayliffs of *Great Yarmouth* may take and diſtrain ſuch Ship or Veſſel with all her Tackle, Apparel and Furniture, and the ſame keep till ſatisfied of the ſaid money. And in caſe of neglect, or delay of payment, within ten dayes after Diſtreſſe, the ſaid Collectors may ſell the ſaid Diſtreſs, and therewith ſatisfie themſelves as well for the duty as for the reaſonable charge in taking and keeping ſuch Diſtreſs, rendring the Overplus, if any be.

V. Oyls and Fiſh-livers obtained in any fiſhing Voyages, and Remainders of Salt, Bread, Beer, and other Proviſion taken into any Ship, for accompliſhing fiſhing Voyages, or for the maintenance of the Maſter and Mariners upon any other Voyage, ſhall be exempted from payment of the ſaid Duty.

VI. That at the next Quarter-Seſſions, which ſhall be after the firſt of *May* next, holden at the Caſtle at *Norwich*; three perſons ſhall be choſen for *Norfolk*, the like number for *Suffolk*, at the Quarter-Seſſions at *Beckles*; two by the City of *Norwich*, and two by the Town of *Great Yarmouth*, who are authorized to meet at *Great Yarmouth* before the 29th. of *September* next, and to adjourn as occaſion ſhall require: which ten perſons, or any five of them may treat and contract with any perſons concerning the preſent repairs of the Haven or Peer there, and keeping the ſame in good repair for ſeven years, and at the end thereof ſo to leave the ſame; and if ſuch contract be made before the 25 of *December* next, Then the impoſition to be levyed by this Act, ſhall continue no longer then

till

rill the ſum neceſſary for performance of ſuch contract ſhall be raiſed and paid, but if ſuch contract be not made before the 25 of December, then the ſame ſhall be repaired by the direction of the Bayliffs, Aldermen, Burgeſſes, and Commonalty of great Yarmouth, in Common-Council aſſembled for the time being, and the money raiſed to be accounted, for as in the former part of this Act is directed.

VII. If by the annual impoſition the Peer ſhall be repaired in leſs then ten years, then the ſaid Impoſition ſhall ceaſe, when the ſums imployed in the repair ſhall have been raiſed thereby.

FINIS.

A DIRECTION
To the
Concordance TABLE.

IF You would know all things that relate to Armor, look in the Table and you will find in an Engliſh letter theſe words, Armor, Armies, 24. which is the main head of that particular: You find in an *Italick letter* underneath Crown, 145. Muſters, 1. Treaſon, 5. *Wales*, 9. to find out each of theſe you muſt look into the general title Crown; then look for the 145 diviſion, and you find what relates to Armes and Armor, the like in the general Heads of Muſters, Diviſion 1. Treaſon, Diviſion 5. and Wales 9. and in the ſame method you may find any thing elſe. And whereas you find ſometimes a word in a *Roman letter*, and underneath another in *Italick letters*, you muſt obſerve the firſt is no common head, but what relates to that you ſhall find in the other; as for examples you would for *Annates*, which is not common, and therefore you find underneath it firſt fruits: in which your deſire is anſwered; ſo if you would ſee what Statutes relates to *Apothecaries*: you will find under *Apothecaries, Phyſitians* (which ſhews the head) 26 (which ſhews the Diviſion under that head,) and ſo the like of all other.

A perfect TABLE which may serve as a *CONCORDANCE* for the ready discovery of any material Clause throughout the said Statutes.

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Articuli Cleri, 9 E. 2.

1 Prohibition
2 Prohibition
3 Prohibition
4 Prohibition

5 *Prohibition*
6 *Jurisdiction*
8 *Residence*
9 *Monasteries*
10 *Appeal*
11 *Monasteries*
12 *Excommunication*
13 *Ability*
14 *Election*
15 *Clergy*
16 *Clergy*

A Statute of Gabelet in London, 20 *E.* 2. *London.*

The Statute of York, 12 *E.* 2.

1 *Assises*
2 *Witnesses*
3 *Nisi prius*
4 *Nisi prius*
5 *Return of Sheriffs*
6 *Victual, &c.*

The Statute of Essoins, 12 *E.* 2. *Essoyn.*

View of Land and Essoin of the Kings Service, 12 *E.* 2. *Essoyn, View.*

Westminster 4. of Attaints and Green-wax, 13 *E.* 2. *Attaint, Sheriff.*

A Statute for Estreats of the Exchequer, 15 *E.* 2. *Estreats.*

Prerogativa Regis, 17 *E.* 2.

1 *Wards*
2 *Wards*
3 *Primer Seisin*
4 *Women, &c.*
5 *Partition.*
6 *Wards*
7 *Alienation without licence*
8 *Advowson*
9 *Fools, Lunaticks, &c.*
10 *Fools, Lunaticks, &c.*
11 *Wreck*
13 *Intrusion*
14 *Forfeiture*
15 *Patents*
16 *Forfeiture*

The Statute of Homage, 17 *E.* 2. *Homage.*

A Statute for Templers, 17 *E.* 2. *Templers.*

View of Frankpledge, 18 *E.* 2. *Leet.*

A Statute for the Oaths of the King, Bishops, &c. *Oath.*

De rectores prosternant, &c. *Church-yards.*

Articles upon Money, *Money.*

A Statute for Justices of Assise, *Justices of Assise.*

A Statute for Eels and Perches, *Weights.*

A Statute for Chattels of Felons, *Forfeiture.*

Statutes of 1 E. 3. Stat. 1.

4 *False Judgment*
5 *Return of Sheriffs.*
6 *Attaint*
7 *Prison, &c.*
8 *Forests.*

1 E. 3. Stat. 2.

1 *Forests*
2 *Bishops, Forests*
5 *Armour*
6 *Taxes*
7 *War*
8 *Beau-pleader*
9 *Franchises*
10 *Monasteries*
11 *Prohibition*
12 *Tenure*
13 *Tenure*
14 *Maintenance*
16 *Justices of Peace*
17 *Indictments*

2 E. 3.

1 *Confirmation*
2 *Justices of Gaol-Delivery, Oyer & Terminer, Pardon*
3 *Armour*
4 *Sheriff*
5 *Return of Sheriffs*
6 *Peace*
7 *War*
8 *Justice and right, &c.*
9 *Staple*
11 *Adjournment*
12 *Sheriff*
15 *Fairs and Markets*
16 *Nisi prius*
17 *Deceit*

4 E. 3.

1 *Confirmation*
2 *Justices of G. D.*
3 *Purveyors*
7 *Executors*
9 *Sheriff*
10 *Sheriffs*
11 *Nisi prius*
12 *Wines*
13 *Pardon*
15 *Parliament*
16 *Sheriffs*

5 E. 3.

1 *Confirmation*
2 *Error, Marshalsey, Purveyors*
4 *Sheriffs*
5 *Fairs and Markets*
6 *Attaint*
7 *Attaint*
8 *Prison, &c.*
9 *Accusation*
10 *Jurors*
11 *Process*
12 *Exigent and Utlawry*
13 *Exigent and Utlawry*
14 *Robberies*

9 E. 3. Stat. 1.

1 *Merchant.*
2 *Non-plevin*
3 *Executors*
4 Trial
5 *Records*

9 E. 3. Stat. 2.

1 *Money*
2 *Money*
3 *Money*
4 *Money*
5 *Money*
6 *Money*
7 *Exchange*
8 *Prison*
9 *Money*
10 *Money*
11 *Money*
12 *Excommunication*

10 E 3. Stat. 1.

1 *Confirmation*
2 *Pardon*
3 *Pardon*

10 E. 3. Stat. 2.

Of Purveyors.

2 *Marshalsey*
3 *Error*

11 E. 3.

3 *Drapery*
5 *Drapery*

14 E. 3. Stat. 1.

1 *Confirmation, Franchises*
4 *Englishire*
5 *Judgment*
6 *Amendments*
7 *Sheriff*
8 *Escheators, Coroners*
9 *Sheriff*
10 *Prison, &c.*
11 *Recognizance, &c.*
12 *Weights*
13 *Wards*
14 *Aid of the King*
15 *Pardon*
16 *Nisi prius*
17 *Parson, &c.*
18 *Voucher*
19 *Purveyors*
21 *Customs, &c.*

14 E. 3. Stat. 2.

2 *Merchants*

14 E. 3. Stat. 3.

1 *Purveyors*
3 *Bishops*
4 *Vacations of Bishopricks*
5 *Vacations of Bishopricks*

14 E. 3. Stat. 4.

1 That *England* shall not be subject to France. *Crown.*

18 E. 3. Stat. 1.

1 *Exigent and utlawry.*

18 E. 3. Stat. 2.

2 *Justices of Peace*
3 *Sea*
5 *Exigent and utlawry*

6 *Money*
7 *War*

18 E. 3. Stat. 3.

3 *Clergy, Mortmain*
4 *Purveyors*
5 *Prohibition*
6 *Ordinaries*
7 *Titles*
8 *Justice and right, &c.*

18 E. 3. Stat. 4.

1 *Justice, &c.*
2 *Clerks of the Chantery*

20 E. 3.

1 *Justice and right, &c.*
2 *Justice and right, &c.*
3 *Justice and right, &c.*
4 *Maintenance*
5 *Maintenance*
6 *Justices of Assise*

23 E. 3.

6 *Victual, &c.*

25 E. 3. Stat. 2.

1 *Ability.*

25 E. 3. Stat. 3.

1 *Franchises*
2 *Franchises*
3 *Advowson*
4 *Clergy*
5 *Clergy*
6 *Bishops*
7 *Advowsers*
8 *Jurisdiction*
9 *Ordinaries*

25 E. 3. Stat. 4.

1 *Drapery*
2 *Merchants*
4 *Wears*

25 E. 3. Stat. 5.

2 *Treason*
3 *Jurors*
4 *Accusation*
5 *Executors*
6 *Purveyors*
7 *Forests*
8 *War*
9 *Weights*
10 *Weights*
11 *Reasonable aid*
12 *Exchange*
13 *Money*
14 *Indictments*
15 *Purveyors*
16 *Non-Tenure*
17 *Process*
18 *Villenage*
19 *Protection*
20 *Money*
21 *Butler of the King*
22 *Proviso*

25 E. 3 Stat. 6.

1 *Proviso.*

27 E. 3. Stat. 1.

1 *Proviso*
2 *Pardon*
4 *Draper*

6 Wines
8 Gauging

27 E. 3. Stat. 2.

1 Staple
2 Merchants
3 Merchants, Woolls
4 Staple
5 Staple
6 Staple
7 Staple
8 Staple
9 Staple
10 Weights
11 Merchants
13 Merchants
14 Gold, Silver, &c.
15 Staple
16 Staple
17 Merchants
18 Staple
19 Staple
20 Staple
21 Staple
22 Staple
23 Staple
24 Staple
25 Staple
26 Merchants
27 Staple
28 Monasteries

28 E. 3.

1 Confirmation
2 wales
3 Accusation
4 Livery, &c.
5 Doi
6 Coroner
7 Sheriff
8 Attaint
9 Sheriff
10 London
11 Robberies
12 Purveyors
13 Staple

31 E. 3. Stat. 1.

1 Confirmation
2 Wools
3 Forfeiture
4 Probate of Test.
5 Gauging
8 Wools
9 Wools
10 Victual, &c.
11 Administrators
12 Error
14 Escape
15 County and Turn

31 E. 1. Stat. 2.

1 Fish, Fishers, &c.
2 Fish, Fishers, &c.
3 Fish, Fishers, &c.

31 E. 3. Stat. 3.

1 Fish, Fishers, &c.
2 Fish, Fishers, &c.

34 E. 3.

1 Justices of Peace
2 Purveyors
3 Purveyors
4 Jurors
7 Attaint

8 Jurors
12 Forfeiture
13 Escheators
14 Escheators
15 Tenure
16 Fines
17 Ireland
18 Ireland
19 Wooll
22 Hawks

35 E. 3.
1 Fish, Fishers, &c.

36 E. 3.
1 Confirmation
2 Purveyors
3 Purveyors
4 Purveyors
5 Purveyors
6 Purveyors
9 Chancery
10 Parliament
11 Wooll
12 Justices of Peace
13 Escheators
15 Declaration, Pleading

37 E. 3.
1 Confirmation
2 Identitate nominis
4 Exchequer
7 Gold, Silver, &c.
16 Wines
17 Villenage
18 Accusation
19 Hawks

38 E. 3. Stat. 1.
1 Confirmation

2 Merchants, Money
3 Fines
4 Obligations
5 Wager of Law
6 Wooll
7 Staple
8 Ships
9 Accusation
10 Wines
11 Wines
12 Decies tantum

42 E. 3.
1 Confirmation
3 Accusation
4 Commission, &c.
5 Escheators
9 Estreats, Sheriffs
10 Ability
11 Panell

43 E. 3.
1 Wooll
2 Wines
3 Butler of the King

45 E. 3.
1 Confirmation
2 Wears
3 Prohibition
4 Wooll

50 E. 3.
1 Confirmation
2 Confirmation
3 Arrests
4 Prohibition
5 Arrests

6 Fraudulent Conveyances
7 Drapery
8 Drapery

Stat. of 1 R. 2.

1 Confirmation
2 Peace
3 Purveyors
4 Maintenance
5 Exchequer
7 Liveries of Companies
8 Protection
9 Feoffments
11 Sheriff
12 Debt
13 Duresse
14 Tithes
15 Arrests

2 R. 2. Stat. 2.

2 Merchants
5 News

2 R. 2. Stat. 1.

1 Confirmation
3 Debt

3 R. 2.

1 Confirmation
2 Drapery
3 Proviso

4 R. 2.

1 Gauging

5 R. 2.

1 Confirmation
2 Money
3 Ships
7 Forcible Entry
9 Exchequer
10 Captains, &c.
11 Exchequer
12 Exchequer
13 Exchequer
14 Exchequer
15 Exchequer
16 Exchequer

5 R. 2. Stat. 2.

1 Merchants
4 Parliament

6 R. 2. Stat. 1.

1 Confirmation, Franchises
2 Writs
3 Nusance
4 Inrolments
5 Justices of Assise
6 Rape
7 Wines
8 Ships
9 Victuall, &c.
10 Victuall, &c.

7 R. 2.

1 Franchises
2 Confirmation
3 Forests
4 Forests
6 Robberies
7 Nisi prius
8 Purveyors
9 Drapery
10 Assises
12 Proviso
13 Armour
14 Attorney

14 Attorney
15 Maintenance

8 R. 2.

2 Confirmation
3 Justices of Assise
4 Recognizance

9 R. 2.

1 Confirmation
2 Villenage
3 Attaint
5 Marshalsey

11 R. 2.

7 Merchants
8 Patents
9 Taxes
10 Seals
11 Justices of Assise

12 R. 2.

1 Confirmation
2 Officers
10 Justice of Peace
11 News
12 Parliament
13 Infections
15 Proviso
16 Staple

13 R. 2. Stat. 1.

1 Incumbent
2 Constable and Marshall
3 Marshalsey
4 Clerk of the Market
5 Admiralty
6 Serjeant at Arms
7 Justices of Peace
8 Victuall, &c.
9 Weights, Woolls
10 Drapery
11 Drapery
13 Hunters and hunting
14 Exchequer
15 Prison, &c.
16 Protection
17 Receit
18 Attaint
19 Fish, Fishers, &c.

13 R. 2. Stat. 2.

1 Pardon
2 Proviso
3 Proviso

14 R. 2.

1 Staple
2 Exchange
3 Staple
4 Staple
5 Ships
8 Gauging
9 Merchants
10 Customs, &c. Officers
11 Justices of Peace

15 R. 2. Stat. 1.

1 Confirmation
2 Forcible entry
3 Admiralty
4 Weights
5 Mortmain
6 Appropriations
9 Staple
12 Freehold

16 R. 2.

1 Merchants
2 Drapery
3 Weights
5 Proviſo

17 R. 2.

1 Money
2 Drapery
3 worſteds
4 Malt
5 Officers
6 Acculation
8 Riots, &c.
9 Fiſh, Fiſhers, &c.
10 Juſtices of G. D.

17 R. 2.

1 Armour
3 Juſtices of Aſſiſe
4 Merchants
5 Horſes, &c.

Statutes of 1 H. 6.

2 Confirmation
4 Confirmation
6 Patents
8 Aſſiſes
10 Towns
11 Sheriffs
12 Wears
13 Officers
14 Appeals
15 London
18 Cheſter, &c.

2 H. 4.

1 Confirmation, Franchiſes
3 Proviſo
4 Proviſo
5 Money
7 Non-ſuit
8 Chirographers
10 Clerks of the Crown
12 Admiralty
14 Purveyors
23 Marſhalſey

4 H. 4.

1 Confirmation
2 Clergy, ſpiritualty
3 Clergy, ſpiritualty
5 Sheriff
7 Feoffments
8 Aſſiſes
9 Commiſſion
10 Money
11 Wears
12 Appropriations
13 War
15 Merchants
18 Attorney
19 Attorney
20 Cuſtoms, &c. Officers, Ships
22 Incumbent
23 Judgment
24 Drapery

5. H. 4.

2 Pardon
3 Watches
4 Felony
5 Felony
6 Aſſault
7 Merchants
8 Wager of Law

9 Mer-

9 Merchants
10 Prison, &c.
11 Tithes
12 Recognisance
13 Gold, Silver, &c.
14 Fines

8 H. 4.
3 Account
4 Merchants

7 H. 4.
1 Confirmation
2 Crown
3 Estreats
4 Protection
7 Arrow-heads
8 Proviso
9 Merchants
11 Commission, &c.
13 Attorney
15 Parliament

9 H. 4.
1 Confirmation
2 Drapery
4 Wales
5 Conusance
7 Taxes

11 H. 4.
1 Parliament
2 Customs, &c.
3 Justices of Assise
5 Money
6 Drapery
8 Exchange
9 Indictments

13 H. 4.
1 Confirmation
5 Officers
6 Money
7 Riots, &c.

Statutes of 1 H. 5.
1 Parliament
2 Wears
3 Ireland
4 Sheriff
5 Addition
10 Weights

2 H. 5. Stat. 1.
1 Hospitals, &c.
2 Corpus cum causa, &c.
3 Libell
4 Justices of Peace
5 Tindale
6 Breakers of Leagues
7 Riots, &c.
8 Riots &c.

2 H. 5. Stat. 2.
1 Justices of Peace
3 Jurors
4 Gold, Silver, &c.
5 Wales
6 Wooll

3 H. 5.
1 Confirmation
4 Proviso
5 Attaint
6 Money
7 Money

4. He

4 H. 5.

1 Confirmation
2 Sheriff
5 Merchants

7 H. 5.

1 Conspiracy.

8 H. 5.

2 Wooll
3 Gold, Silver, &c.

9 H 5 Stat. 1.

1 Conspiracy
2 Amendments
7 Tindale
10 Newcastle
11 Money

Statutes of 1 H. 6.

1 Money
2 Purveyors

2 H. 6

1 Confirmation
2 Hospitals
6 Money
8 Ireland
9 Money
10 Officers
11 Weights
12 Money
14 Gold, Silver, &c.
15 Havens and Rivers

3 H. 6.

2 Masons
7 Sheep
3 Customs, &c.
4 Butter

4 H. 6.

3 Amendments

6 H. 6.

1 Process
2 Assises
4 Parliament
5 Sewers

12 H. 6.

1 Parliament
3 Sewers
5 Weights
7 Parliament
9 Forcible entry
10 Process
12 Amendment
13 Amendments
14 Riots, &c.
16 Escheators
22 Wooll
23 Yarn
26 Conusance
27 Passage
28 Bridges
29 Triall

9 H. 6.

4 Identitate nominis
5 Passage
6 Weights
8 Weights
11 Bastardy

10 H. 6.

1 Staple
2 Parliament
4 Apparance

6 Process

6 Proceſs
8 Juſtices of the Benches

11 H. 6.

2 Aſſiſes
3 Feoffments
4 Attaint
5 Waſt
6 Diſcontinuance of proceſs
8 Weights
9 Drapery
10 Recogniſance
11 Aſſault
12 Wax
15 Cuſtoms, &c.

14 H. 6.

1 Niſi prius
3 Juſtices of Aſſiſe
4 Juſtices of Peace
5 Wooll

15 H. 6.

1 Marſhalſey
3 Safe Conduct
4 Accuſation
5 Attaint
8 Ships

18 H. 6.

1 Patent
2 Attaint
3 Butter
5 Collectors
6 Eſcheators
7 Eſcheators
8 Safe conduct
9 Appearance
10 Sewers
11 Juſtices of Peace
12 Conſpiracy
17 Gauging
18 Captains, &c.
19 Captains, &c.

20 H. 6.

1 Safe conduct
4 Cuſtoms, &c.
5 Cuſtoms, &c.
8 Purveyors
9 Triall

23 H. 6.

1 Purveyors
2 Purveyors
7 Northumberland
8 Sheriff
9 Sewers
10 Sheriff
11 Parliament
13 Victuall, &c.
14 Purveyors
15 Parliament
16 Gauging
17 Eſcheators
18 Wines

27 H. 6.

5 Fairs and Markets

28 H. 6.

2 Purveyors
5 Extortion

29 H. 6.

1 York

31 H. 6.
4 Aliens
5 Officers
9 Women, &c.

33 H. 6.
2 Executors
3 Lancaster
7 Attorney

39 H. 6.
2 Wards

Statutes of E. 4.
1 Confirmation
2 Sheriff

3 E. 4.
4 Merchants

4 E. 4.
1 Drapery
8 Horners

7 E. 4.
1 Worsteds
2 Drapery
3 Drapery
5 Tenure

8 E. 4.
3 Jurors

12 E. 4
1 Sheriffs
2 Bowes
6 Stowrs
7 Weares
8 Victuall, &c.
9 Escheators

14. E. 4.
4 Breakers of Leagues

17 E. 4.
1 Merchant
2 Fairs and Markets
4 Tiles
5 Drapery
6 Sheriff

22 E. 4.
4 Fish, Fishers
6 Swans
7 Forest
8 Barwick

Statutes of 1 R. 3.
1 Uses
2 Taxes
3 Escape, Forfeiture
4 Jurors
6 Fairs and Markets
7 Fines
8 Drapery
9 Aliens, Merchants
11 Bowes
12 Merchants
13 Weights
14 Accompt

Statutes of 1 H. 7.
1 Uses
2 Customs, &c.
4 Incontinency of Priests
7 Felony

3 H. 7.

1 Execution of Statutes
Indictments
Justices of Peace
Murder
2 Felony
3 Mainprise
4 uses
7 Customs, &c.
8 Merchants
9 Fairs and Markets
10 Damages and Costs
11 Drapery
14 Felony

4 H. 7.

1 Sewers
2 Gold, Silver
3 Butchers
10 Ships
12 Justices of Peace
13 Clergy
14 Seales
15 Havens and Rivers
16 Isle of wight
17 wards
20 Actions popular
24 Fines

7 H. 7.

1 Captains
3 Weights
4 Challenge

11 H. 7.

1 Forfeiture
4 weights
5 Southampton
6 Customes
9 Tindale
11 Worsteds
12 Poor people
13 Houses, &c.
14 Customs, &c.
15 Sheriffs
16 Sheriff.
17 Feasants and Partridges
18 War
19 Upholsters
20 Discontinuance
21 Attaint
23 Fish, Fishers
27 Fustians

12 H. 7.

1 Apprentice
5 Weights
9 Merchants
5 Clergy

19 H. 7.

6 Money
7 Brass
8 Corporation
8 Taxes
9 Process
10 Poison, &c.
11 Hunters
13 Riots, &c.
15 Uses
18 Passage
20 Damages and Costs
21 Silk
23 Stiliard
24 County and Turn

Statutes of 1 H. 8.

5 Customs, &c.
7 Coroner
8 Escheators

9 Stanes
10 Eſcheators

8 H. 8.

5 Captains, &c.
7 Drapery
8 Victual, &c.
11 Phyſicians
14 Oyl

4 H. 8.

2 Trial
3 Jurors
6 Cuſtoms, &c.
7 Braſs

5 H. 8.

2 Drapery
3 Drapery
4 Worſteds
5 Jurors
6 Phyſicians

6 H. 8.

4 Exigent and Utlawry
6 Priſon, &c.
8 Drapery
9 Drapery
10 Sewers
15 Patents
16 Parliament
18 Sheriff

7 H. 8.

4 Recoveries

14, 15 H. 8.

2 Aliens
3 Worſteds
4 Engliſh-men
6 High-ways
16 Hunters and hunting
11 Drapery
12 Money
13 Southampton

21 H. 8.

3 Aſſiſes
4 Executors
5 Probat of Teſt.
6 Mortuaries
7 Felony
11 Reſtitution
12 Cables
13 Reſidence
15 Recoveries
16 Aliens
18 Newcaſtle
19 Avowry
20 Execution of Statutes

22 H. 8.

3 Plumſtead Marſh
4 Corporation
5 Bridges
8 Aliens
1 Egyptians
1 Felony
1 Aliens

23 H. 8.

1 Clergy
2 Priſon, &c.
3 Attaint
4 Coopers
5 Sewers
6 Recognizance
8 Havens and Rivers
9 Citation
10 Mortmain
11 Clergy

12 *Paſſage*
13 *Jurors*
14 *Proceſs*
15 *Damages and Coſts*
17 *Wooll*
18 *Havens and Rivers*

24 H. 8.

5 *Forfeiture*
8 *Damages and Coſts*
11 *Paving*
12 *Appeals to Rome.*

25 H. 8.

2 *Victual, &c.*
3 *Clergy*
5 *Worſteds*
6 *Felony*
9 *Braſs*
10 *Sewers*
11 *Wild-fowl*
13 *Sheep*
15 *Books*
16 *Reſidence*
18 *Drapery*
19 *Rome*
20 *Rome*
21 *Rome*

26 H. 8.

3 *Firſt-fruits, &c.*
4 *Wales*
5 *Paſſage*
6 *Wales*
7 *High-wayes*
8 *Firſt-fruits*
9 *Linne*
12 *Clergy*
13 *Treaſon*
14 *Biſhops*
15 *Richmond*
17 *Firſt-fruits*

27 H. 8.

1 *Towns*
4 *Trial*
5 *Cheſter, &c.*
6 *Horſes, &c.*
7 *Wales*
8 *Firſt-fruits*
10 *Uſes*
11 *Clerks of the Signet*
12 *Drapery*
13 *Drapery*
14 *Cordwainers, &c.*
16 *Informers*
17 *Eccleſ. Juriſd.*
18 *Havens and Rivers*
20 *Tithes*
23 *Havens and Rivers*
24 *Franchiſes*
26 *Wales*
27 *Monaſteries*

28 H. 8.

1 *Clergy*
4 *Linnen cloth*
5 *Corporations*
11 *Tithes*
12 *Palace*
13 *Reſidence*
14 *Weights, Wines*
15 *Trial*
16 *Diſpenſations*

31 H. 8.

1 *Partition*
2 *Fiſh, Fiſhers, &c.*

Customs and usages
4 *Havens and Rivers*
5 *Honours*
6 *Ability*
10 *Lords*
13 *Monasteries*

32 H. 8.

1 *Wills*
2 *Limitation*
5 *Execution*
7 *Tithes*
9 *Maintenance*
13 *Horses, &c.*
14 *Ships*
16 *Aliens*
17 *Paving*
18 *Towns*
19 *Towns*
20 *Franchises*
21 *Dayes in Bank*
22 *First-fruits*
24 Saint Johns
28 *Leases*
30 *Repleader*
32 *Partition*
33 *Entry lawful*
34 *Conditions*
35 *Forests*
36 *Fines*
37 *Rents*
38 *Matrimony*
40 *Physicians*
42 *Physicians*
43 Chester, *&c.*
46 *Wards*
47 *First-fruits*

33 H. 8.

1 *Counterfeit Letters*
3 *Drapery*
4 *Bricks*
6 *Cross Bows, &c.*
7 *Brasse*
9 *Playes*
12 *Trial*
13 *Chester, &c. Walls*
16 *Norwich*
17 *Flax and Hemp*
19 *Drapery*
20 *Treason*
21 *Parliament*
22 *Escheators, wards*
23 *Challenge, Trial*
24 *Justices of Assise*
27 *Corporation*
28 *Residence*
29 *Ability*
32 *Whitegate*
33 *Hull*
36 *Towns*
37 *Honors*
38 *Honours*
39 *Courts*

34, 35 H. 8.

2 *Receivers*
4 *Bankrupts*
5 *Wills*
8 *Physitians*
9 *Havens and Rivers, Severn*
10 *York*
12 *Paving*
13 *Chester, &c.*
14 *Certificate of the, &c.*
16 *Sheriff*
17 *First-fruits*
19 *Pensions*
20 *Recoveries*
21 *Patents*
22 *Informers*
24 *Cambridge, &c.*
26 *Wales*

35 H. 8.

1 Crowne
2 Treaſon
4 Towns
6 Jurors
9 Wapping Marſh
10 London
11 Parliament
13 Walſingham
14 Tenure
15 Cambridge, &c.
16 Wool

37 H. 8.

1 Custos Rotulorum
2 Hounſlow Heath
3 Highwayes
4 Monaſteries
5 Attainct
6 Burning of Carts, &c.
8 Clergy Indictments
9 Uſury
12 Tithes
14 Scarborough
15 Woll
16 Lancaſter
19 Fines
20 Tenure
21 Union, &c. of Churches
23 Wines

Statutes of 1 E. 6.

1 Service and Sacraments
2 Biſhops
4 Tenure
5 Houſes, &c.
6 Norwich, Woolls
7 Diſcontinuance of Proceſs
8 Patents
9 Union, &c. of Churches
10 Exigent and utlawry
12 Challenge, Clergy, Dower, (Felony, Treaſon
14 Monaſteries

2, 3 H. 6.

1 Service and Sacraments
2 Captains
4 Sheriff
6 Fiſh, Fiſhers, &c.
8 Eſcheators
10 Malt
13 Tithes
14 Croſs-Bows, &c.
15 Labourers, Victual
19 Holydayes
20 Firſt-fruits
21 Matrimony
22 Cuſtoms &c.
24 Trial
25 County and Turn
26 White-aſhes
27 Steel
28 Fines
30 Rye and Winchelſie
31 Cheſter, &c.
33 Clergy
34 Sheriff
37 Braſſe

3, 4 E. 6.

1 Cuſtos Rotulorum
2 Drapery
3 Approvements
4 Grants
8 Sewers
10 Books
12 Biſhops

19 Calves
21 Butter

5, 6 E. 6.

1 Service and Sacrament.
3 Holydayes
4 Fighting and quarrelling
6 Drapery
8 Drapery
9 Clergy
10 Clergy
11 Treason
12 Matrimony
13 Ability
14 Forestallers, &c.
15 Cordwainers, &c.
16 Officers
19 Exchange
22 Gigmils
23 Upholsters
24 Norwich
25 Alehouses

7 E. 6.

1 Rectivers
3 Patents
4 First-fruits
5 Wines
7 Fuell
15 Durham

Statutes of 1 M.

Parl. 1. Sess. 1.

1 Felony, Treason

1 M. Parl. 1. Sess. 2.

3 Service and Sacraments
4 Deeds and Writings
3 Limitation
7 Fines
8 Sheriff
9 Physicians
10 Courts
14 Union, &c. of Churches

1 M. Parl. 2.

1 Queen
5 High-wayes
7 Drapery
8 Cordwainers, &c.
11 Sewers

1, 2 P. M.

4 Egyptians
5 Victual, &c.
7 Towns
8 Bishops
10 Treason
11 Treason
12 Distresse
13 Mainprise
14 Norwich
15 Wales

2, 3 P. M.

3 Calves
6 Purveyors
7 Fairs and Markets
8 High-wayes
9 Playes
10 Mainprise
11 Drapery
12 Drapery
13 Woolls
15 universities
16 Passage
18 Justice.

18 Justice of Peace
20 Lancaster

4, 5 P. M.

1 Patents
3 Masters
4 Clergy
5 Drapery
7 Jurors
8 Women, &c.

Statutes of 1 Eliz.

1 Crown
2 Service and Sacraments
3 Crown
4 First-fruits
11 Merchants
12 Linnen cloth
13 Ships
15 Wood
17 Fish, Fishers, &c.
Not printed, Leases

5 Eliz.

1 Crown
4 Labourers
5 Ships
7 Weirs
9 Periury, witnesse
10 Felony
11 Treason
12 Corn, &c.
13 High-wayes, &c.
14 Forger of false Deeds
15 Prophesies
17 Felony
18 Keeper of the Great Seal
20 Egyptians
21 Fish, Fishers, &c.
22 Cordwainers, &c.
23 Excommunicato capiendo
24 Prison, &c.
25 Jurors
26 Informers
27 Durham
28 Service and Sacraments

8 Eliz.

1 Process
3 Ships
4 Clergy
5 Admiralty
6 Drapery
7 Drapery
8 Horses
9 Coopers
10 Bows
11 Hats and Caps
12 Drapery
16 Sheriff

13 Eliz.

2 Crown
4 Debt to the King
5 Fraudulent Conveyances
6 Grants
7 Bankrupts
8 Usury
9 Sewers
10 Dilapidations, Leases
11 Ships
12 Spiritual Laws
13 Corn, &c.
14 Bows
15 Ships
17 Hospitals
18 Lee River
20 Leases
21 Ipswich, Universities

22 Sheriff
23 Paving
25 Foreſtallers, Piſon, VVood

14 Eliz.

3 Money
7 Debt to the King
8 Recoveries
9 Jurors
10 Priſon
11 Dilapidations, Leaſes
13 Felony, Hexam hire
Not printed, Hoſpitals

18 Eliz.

1 Treaſon
2 Patents
3 Baſtardy
5 Informers
6 Leaſes
7 Clergy
8 VVales
9 Cordwainers, &c.
10 High-wayes
11 Leaſes
12 Niſi prius
13 Wards
14 Jeofail
15 Gold, Silver, &c.
17 Bridges
19 Paving
20 Bridges
21 Towns
25 Hoſpitals

23 Eliz.

1 Crown
3 Error
5 Wood
8 Wax
9 Drapery
10 Feaſants and Partridges
11 Bridges
12 Paving
13 Plumſted Marſh

27 Eliz.

2 Crown
3 Debt to the King
4 Fraudulent Conveyances
5 Demurrers
6 Jurors
7 Sheriff
8 Error
9 Wales
12 Sheriff
13 Robberies
17 Drapery
18 Drapery
19 Wood
20 Havens and Rivers
21 Havens and Rivers
24 Banks
25 Bridges
27 Plumſted-Marſh
Not printed, Hoſpitals

29 Eliz.

1 Treaſon
4 Sheriff
5 Informers
6 Crown

31 Eliz.

1 Error
2 Fines
3 Exigent and Utlawry

4 *Armour*
5 *Actions popular*
6 *Election*
7 *Cottages and Inmates*
8 *Gauging*
9 *Durham*
10 *Informers*
11 *Forcible entry*
12 *Fairs and Markets*

35 Eliz.

1 *Crown*
2 *Crown*
3 *Patents*
7 *Ships*
8 *Cables*
9 *Drapery*
10 *Drapery*
11 *Clapboard*

39 Eliz.

1 *Vagabonds*
5 *Hospitals, &c.*
6 *Hospitals, &c.*
8 *Bishops*
9 *Clergy*
10 *Ships*
11 *Drapery*
13 *Fustians*
14 *Drapery*
15 *Clergy*
16 *Malt*
17 *Vagabonds*
19 *High-wayes,*
20 *Drapery*
22 *Norwich*
23 *Bridges*
24 *Bridges*
25 *Robberies*

43 Eliz.

1 *Patents*
2 *Poor people*
3 *Captains, &c.*
4 *Hospitals*
5 *Corpus cum causa*
6 *Damages and Costs, Sheriff*
7 *Trespass*
8 *Executors*
9 *Leases, Ships*
10 *Drapery*
11 *Approvements*
12 *Merchants*
14 *Fuel*
15 *Chester, &c.*
16 *Bridges*

Statutes of 1 Jac.

1 *Crown*
2 *England and Scotland*
3 *Bishops*
4 *Crown*
5 *Leet*
6 *Labourers*
7 *Vagabonds*
8 *Clergy*
9 *Ale-houses*
10 *Justice and Right, &c.*
11 *Matrimony*
12 *Conjuration, &c.*
13 *Execution*
15 *Bankrupts*
16 *Passage*
17 *Hats and Caps*
18 *Hops*
19 *Spice*
20 *Painters*
21 *Brokers*
22 *Cordwainers, &c.*
23 *Ships*

25 *Drapery, poor people*
26 *Exchequer*
27 *Feasants and Partridges*
28 *Berwick*
31 *Plague*

3 Jac.

1 *Service and Sacraments*
4 *Crown*
5 *Crown*
6 *Merchants*
7 *Attorney*
8 *Execution*
9 *Merchants*
10 *Prison*
11 *Malt*
12 *Fish, Fishers, &c.*
13 *Hunters and hunting*
14 *Sewers*
15 *Debt*
16 *Drapery*
17 *Drapery*
18 *Havens and Rivers*
21 *Players*
22 *Paving*
23 *Bridges*
24 *Bridges*

4 Jac.

1 *England and Scotland*
2 *Drapery*
3 *Damages and Costs*
4 *Ale-houses*
5 *Ale-houses*
6 *Cordwainers, &c.*
8 *Marshes and Fens*
9 *Merchants*
10 *Southampton*
11 *Husbandry*
12 *Havens and Rivers*
13 *Marshes and Fens*

7 Jac.

1 *England and Scotland*
2 *Crown*
3 *Poor people*
4 *Bastardy, Vagabonds*
5 *Evidence*
6 *Crown*
7 *Drapery*
8 *Calves*
9 *Chelsey*
10 *Ale-houses*
11 *Feasants and Partridges*
12 *Debt*
13 *Hunters and hunting*
14 *Horners*
15 *Debt to the King*
16 *Husbandry*
18 *Drapery*
20 *Marshes and Fens*
21 *Copyholds*

21 Jac.

2 *Limitation*
3 *Monopolies*
4 *Actions popular*
5 *Sheriff*
6 *Clergy*
7 *Ale-houses*
8 *Corpus cum causa, &c.*
12 *Evidence*
13 *Jeofail*
14 *Intrusion*
15 *Forcible Entry*
16 *Damages and Costs, Limitation, Trespass*
17 *Usury*
18 *Drapery*
19 *Bankrupts*
20 *Swearing and cursing*
21 *Victual, &c.*
22 *Butter*

23 *Corpus*

23 Corpus cum causa
24 Execution
25 Patents
26 Felony
27 Bastardy
28 Horses, &c.
29 Patents
32 Passage
35 Pardon

Statutes of 1 Car.

1 Holy-dayes
2 Patents
3 Alienation without licence
4 Ale-houses

3 Car.

1 Holydayes
2 Crown
3 Ale-houses
4 Bastardy, Corn, Poor people

16. 17 Car.

1 Parliament
2 War
3 War
4 War
5 War
6 Dayes in Bank
7 Parliament
9 War
10 Courts
11 Crown
13 War
14 Taxes
15 Courts
16 Forests
17 England and Scotland
18 England and Scotland
1 Clerk of the Market
20 Knights
21 Gun-powder
24 Captives
27 Ability
30 Ireland
33 Ireland
34 Ireland
35 Ireland
37 Ireland

Statutes of 12 Car. 2.

1 Parliament
2 Assessment
3 Process and judicial proceed-
4 Tunnage and Poundage (ings
5 Excise
6 Commissioners of Sewers
7 Duke of Ormond
8 Excise
9 Money
10 Money
11 Pardon
12 Judicial Proceedings
13 Usury
14 Anniversary Thanksgiving
15 Army
16 Souldiers to use Trades
17 Ministers
18 Shipping and Navigation
19 Customes and Subsidies
20 Money
21 Money
22 Baymaking
23 Beer, Ale, &c.
24 Wards and Liveries
25 Wines
26 Assessment
27 Money
28 Money
29 Money
30 Attainder 31 Leases

31 Leases from Colledges, &c.
32 Wooll
33 Marriages
34 Tobacco
35 Post-Office
36 Master of the Rolls
37 Covent-Garden parochial

13 Car. 2.

1 Treasonable and seditious practices prevented.
2 Holy Orders
3 Settlement
4 Voluntary present
5 Tumults and Disorders
6 Militia
7 Confirming publick Acts
8 Carriages
9 Navy
10 Hunting of Deer
11 Confirming Acts
12 Ecclesiastical causes
13 Excise
14 Shipping and Navigation
15 Pains and penalties

13 Car. 2. Second meeting of the Parliament.

1 Corporations
2 Delayes
3 Money
4 Dutchy of Cornwall

13 & 14 Car. 2.

1 Quakers
2 High-wayes and Sewers

14 Car. 2.

1 Militia
4 uniformity
5 Norwich Stuffs
6 High-wayes
7 Leather
8 Indigent Loyal Officers
9 Maimed Officers and Souldiers
10 Additional Revenue
11 Customes
12 Poor
13 Bonelace, &c.
14 Prize Goods
15 Silk-throwing
16 Accounts
17 Collectors
18 Sheep, &c.
19 Wool-cards, &c.
20 Navy carriages
21 Sheriffs
22 Tarr
23 Assurance
24 Bankrupts
25 Advowsons
26 Butter
27 Dover
28 Pilchard fishing
29 Attainder
30 Madder
31 Silver-Coyn
32 Woollen-Cloth
33 Printing

15 Car. 2.

1 High-wayes
2 Wood
3 Indigent Officers
4 Militia
5 Select Vestries
6 uniformity

7 Trade
8 Butchers
9 Subsidies
10 Subsidies
11 Excise
13 Hearth-money
14 Post-Office
15 Linnen Cloth and Tapistry
16 Herring and other Fisheries
17 Fens

16 Car. 2.

1 Parliaments
2 Abatement of Writs
3 Hearth-money
4 Conventicles
5 Sea-men
6 Merchant Ships
7 Gaming
8 Printing

16 & 17 Car. 2.

1 Money
2 Coals
3 Jurors
4 Excise
5 Delayes
6 Accounts
7 Printing
8 Arrests of Judgments
9 Chancellor of the Dutchy
10 High-ways
11 Fees
12 River Avon

17 Car. 2.

1 Money
2 Nonconformists
3 uniting Churches
4 Printing
5 Attainder
6 Damage clear
7 Distresses and Avowry
8 Delayes
9 Money

18 Car. 2.

1 Money
2 Irish Cattel
3 Theft
4 Woollen
5 Coynage

19 Car. 2.

1 Money
2 New Judicature
3 London
4 Prisoners
5 Replevins and Avowries
6 Decease
7 Seamen
8 Money
9 Accounts
10 Clarendon
11 Prize-Ships
12 Exchequer
13 England and Scotland

20 Car. 2.

1 Money
2 Accounts
3 Timber
4 Error
5 Leather
6 Silk-throwing

7 Foreign

7 *Foreign Cattel*
8 *Fens*

22 Car. 2.

1 *Conventicles*
2 *Yarmouth*
3 *Wine and Vinegar*
4 *Brandy*
5 *Cloth and Stores*
6 *Fee-farm Rents*
7 *Cornwall*
8 *Measures*
9 *England and Scotland*
10 Sir John Prettyman
11 *London*
12 *High-wayes and Bridges*
13 *Tillage and Cattel*

A TABLE

A TABLE, shewing the beginning of every Kings Raign from the *Conqueſt*, together with the Year of *Chriſt*, anſwering to every year of each Kings Raign, the years beginning at the 25th. of *March*.

William *the* Conqueror *began his Raign the* 15. *of* Octob. 1066. *and therefore had Raigned one year compleat*, 15. Oct. 1067.

An. Reg.	*An. Dom.*
1	1067
2	1068
3	1069
4	1070
5	1071
6	1072
7	1073
8	1074
9	1075
10	1076
11	1077
12	1078
13	1079
14	1080
15	1081
16	1082
17	1083
18	1084
19	1085
20	1086

10 *Moneths*, 21 *Dayes*. *His Raign ended the* 9*th. of* Sept. 1087.

William Rufus *began his Raign* September 9*th.* 1087.

An. Reg.	*An. Dom.*
1	1088
2	1089
3	1090
4	1091
5	1092
6	1093
7	1094
8	1095

9	1096
10	1097
11	1098
12	1099

11 *Moneths*, 18 *Days*.

Hen. 1. Aug. 1. 1100.

An. Reg.	*An. Dom.*
1	1101
2	1102
3	1103
4	1104
5	1105
6	1106
7	1107
8	1108
9	1109
10	1110
11	1111
12	1112
13	1113
14	1114
15	1115
16	1116
17	1117
18	1118
19	1119
20	1120
21	1121
22	1122
23	1123
24	1124
25	1125
26	1126
27	1127
28	1128
29	1129
30	1130
31	1131
32	1132
33	1133
34	1134
35	1135

4 *Moneths*, 12 *Days*.

Steph. Decemb. 2. 1135.

An. Reg.	*An. Dom.*
1	1136
2	1137
3	1138
4	1139
5	1140
6	1141
7	1142
8	1143
9	1144
10	1145
11	1146
12	1147
13	1148
14	1149
15	1150
16	1151
17	1152
18	1153

11 *Moneths*, 20 *Days*.

Hen. 2.

Hen. 2. Oct. 25. 1154.

An. Reg.	An. Dom.
1	1155
2	1156
3	1157
4	1158
5	1159
6	1160
7	1161
8	1162
9	1163
10	1164
11	1165
12	1166
13	1167
14	1168
15	1169
16	1170
17	1171
18	1172
19	1173
20	1174
21	1175
22	1176
23	1177
24	1178
25	1179
26	1180
27	1181
28	1182
29	1183
30	1184
31	1185
32	1186
33	1187
34	1188

9 Moneths, 5 Dayes.

R. 1. July 9. 1189.

An. Reg.	An. Dom.
1	1190
2	1191
3	1192
4	1193
5	1194
6	1195
7	1196
8	1197
9	1198

9 Moneths, 19 Days.

John, April 6. 1199.

An. Reg.	An. Dom.
1	1200
2	1201
3	1202
4	1203
5	1204
6	1205
7	1206
8	1237
9	1208
10	1209
11	1210
12	1211
13	1212

14	1213
15	1214
16	1215
17	1216

7 Moneths, 0 Dayes.

Hen. 3. O&. 19. 1216.

An. Reg.	*An. Dom.*
1	1127
2	1218
3	1219
4	1220
5	1221
6	1222
7	1223
8	1224
9	1225
10	1226
11	1227
12	1228
13	1229
14	1230
15	1231
16	1232
17	1233
18	1234
19	1235
20	1236
21	1237
21	1238
23	1239
24	1240
25	1241
26	1242
27	1243
28	1244
29	1245
30	1246
31	1247
32	1248
33	1249
34	1250
35	1251
36	1252
37	1253
38	1254
39	1255
40	1256
41	125
42	1258
43	1259
44	1260
45	1261
46	1262
47	1263
48	1264
49	1265
50	1266
51	1267
52	1268
53	1269
54	1270
55	1271
56	1272

1 Moneth, 0 Dayes.

Edw

Ed. 1. Nov. 16. 1272.

An. Reg.	An. Dom.
	1273
	1274
	1275
	1276
	1277
	1278
	1279
	1280
	1281
	1282
	1283
	1284
	1285
	1286
	1287
	1288
	1289
	1290
	1291
	1292
	1293
	1294
	1295
	1296
	1297
	1298
	1299
	1300
	1301
	1302
	1303
	1304
	1305
	1306

8 *Moneths, 9 Days.*

Edw. 2. July 7. 1307.

An. Reg.	An. Dom.
1	1308
2	1309
3	1310
4	1311
5	1312
6	1313
7	1314
8	1315
9	1316
10	1317
11	1318
12	1319
13	1320
14	1321
15	1322
16	1323
17	1324
18	1325
19	1326

7 *Months, 9 Days.*

Edw. 3. Jan. 25. 1326.

An. Reg.	An. Dom.
1	1327
2	1328
3	1329

4	1330	39	1365
5	1331	40	1366
6	1332	41	1367
7	1333	42	1368
8	1334	43	1369
9	1335	44	1370
10	1336	45	1371
11	1337	46	1372
12	1338	47	1373
13	1339	48	1374
14	1340	49	1375
15	1341	50	1376
16	1342	5 *Months*, 7 *Daies.*	
17	1343	R.2. June 21. 1377.	
18	1344		
19	1345	*An. Reg.*	*An. Dom.*
20	1346	1	1378
21	1347	2	1379
22	1348	3	1380
23	1349	4	1381
24	1350	5	1382
25	1351	6	1383
26	1352	7	1384
27	1353	8	1385
28	1354	9	1386
29	1355	10	1387
30	1356	11	1388
31	1357	12	1389
32	1358	13	1390
33	1359	14	1391
34	1360	15	1392
35	1361	16	1393
36	1362	17	1394
37	1363	18	1395
38	1364		

19	1396
20	1397
21	1398
22	1399

3 *Months*, 14 *Days*.

Hen.4. Sept. 29. 1399.

An. Reg.	*An. Dom.*
1	1400
2	1401
3	1402
4	1403
5	1404
6	1405
7	1406
8	1407
9	1408
10	1409
11	1410
12	1411
13	1412

6 *Months*, 3 *Days*.

H.5. March 20. 1412.

An. Reg.	*An. Dom.*
1	1413
2	1414
3	1415
4	1416
5	1417
6	1418
7	1419
8	1420
9	1421

5 *Months*, 24 *Dayes*.

Hen.6. Aug. 31. 1422.

An. Reg.	*An. Dom.*
1	1423
2	1424
3	1425
4	1426
5	1427
6	1428
7	1429
8	1430
9	1431
10	1432
11	1433
12	1434
13	1435
14	1436
15	1437
16	1438
17	1439
18	1440
19	1441
20	1442
21	1443
22	1444
23	1445
24	1446
25	1447
26	1448
27	1449
28	1451

29	1451
30	1452
31	1453
32	1454
33	1455
34	1456
35	1457
36	1458
37	1459
38	1460

6 *Moneths*, 16 *Days*.

Edw. 4. March. 4. 1460.

An. Reg.	*An. Dom.*
1	1461
2	1462
3	1463
4	1464
5	1465
6	1466
7	1467
8	1468
9	1469
10	1470
11	1471
12	1472
13	1473
14	1474
15	1475
16	1476
17	1477
18	1478
19	1479
20	1480
21	1481
22	1482

1 *Moneth*, 8 *Days*.

R. 3. June 22. 1483.

An. Reg.	*An. Dom.*
1	1484
2	1485

2 *Moneths*, 5 *Days*.

Hen. 7. Aug. 22. 1485.

An. Reg.	*An. Dom.*
1	1486
2	1487
3	1488
4	1489
5	1490
6	1491
7	1492
8	1493
9	1494
10	1495
11	1496
12	1497
13	1498
14	1499
15	1500
16	1501
17	1502
18	1503
19	1504
20	1505

21	1506
22	1507
23	1508

8 *Moneth*, 19 *Daies.*

Hen. 8. April 22. 1509.

An. Reg.	*An. Dom.*
1	1510
2	1511
3	1512
4	1513
5	1514
6	1515
7	1516
8	1517
9	1518
10	1519
11	1520
12	1521
13	1522
14	1523
15	1524
16	1525
17	1526
18	1527
19	1528
20	1529
21	1530
22	1531
23	1532
24	1533
25	1534
26	1535
27	1536
28	1537
29	1538
30	1539
31	1540
32	1541
33	1542
34	1543
35	1544
36	1545
37	1546

10 *Months*, 1 *Daies.*

Edw. 6. Jan. 28. 1546.

An. Reg.	*An. Dom.*
1	1547
2	1548
3	1549
4	1550
5	1551
6	1552

5. *Months*, 19 *Daies.*

Mar. July 6. 1552.

An. Reg.	*An. Dom.*
1	1554
2	1555
3	1556
5	1557
5	1558

4 *Months*, 22 *Daies.*

Eliz.

Eliz. Nov. 17. 1558.

An. Reg.	*An. Dom.*
1	1559
2	1560
3	1561
4	1562
5	1563
6	1564
7	1565
8	1566
9	1567
10	1568
11	1569
12	1570
13	1571
14	1572
15	1573
16	1574
17	1575
18	1576
19	1577
20	1578
21	1579
22	1580
23	1581
24	1582
25	1583
26	1584
27	1585
28	1586
29	1587
30	1588
31	1589
32	1590
33	1591
34	1592
35	1593
36	1594
37	1595
38	1596
39	1597
40	1598
41	1599
42	1600
43	1601
44	1602

4 *Moneths*, 15 *Dales.*

Jac. March 24. 1602.

An. Reg.	*An. Dom.*
1	1603
2	1604
3	1605
4	1606
5	1607
6	1608
7	1609
8	1610
9	1611
10	1612
11	1613
12	1614
13	1615
14	1616
15	1617

16	1618	7	1631
17	1619	8	1632
18	1620	9	1633
19	1621	10	1634
20	1622	11	1635
21	1623	12	1636
22	1624	13	1637
9 *Months*, 3 *Dayes*.		14	1638
		15	1639
Carol. 1. March 27.	1625.	16	1640
		17	1641
An. Reg.	*An. Dom.*	18	1642
1	1625	19	1643
2	1626	20	1644
3	1627	21	1645
4	1628	22	1646
5	1629	23	1647
6	1630	24	1648

King *Charles* died the 30 of *Jan.* 1648. having Raigned 11 Moneths above 23 Years, according to 28 daies *per menſem*.

The third Table.

Carol. 2. Jan. 30. 1648.

An. Reg.	*An. Dom.*
1	1649
2	1650
3	1651
4	1652
5	1653
6	1654
7	1655
8	1656
9	1657
10	1658
11	1659
12	1660
13	1661
14	1662
15	1663
16	1664
17	1665
18	1666
19	1667
20	1668
21	1669
22	1670
23	1671

FINIS.

E. I. C. 9/28/08.

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